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3.1

Full name: Steve Havers

Organisation (where relevant): National Highways

Proposal:

3. The Spatial Strategy

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

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

3.1

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Summary 50. National Highways welcome the opportunity to comment on the Second Regulation 19 Publication Draft of the East Devon Local Plan 2020-2042. Our comments follow a previous response (dated March 2025) to the First Regulation 19 consultation, and we would recommend that this letter should be read in conjunction with those previous comments. 51. The East Devon Local Plan includes significant growth in the West End area located close to the M5 motorway and A30 Trunk Road. Given the scale of planned growth in the West End, National Highways has concern over the potential residual cumulative impacts of new development. The addition of development growth from neighbouring authorities, alongside background traffic demand, strengthens the need for an ambitious strategy to accommodate future travel demands across the Exeter travel to work area. 52. Amendments to the Publication Draft and supporting IDP (Version 02) seek to provide additional detail in terms of future infrastructure and monitoring requirements for the Local Plan and the Marlcombe site in particular. The inclusion of SRN improvements within the IDP is a welcome step forward given the potential impacts of planned development. 53. However, we continue to have concern over the level of detail currently available for identified infrastructure, and the funding and delivery strategy for necessary SRN improvements. Due to limitations in the available information, not least the scope and scale of SRN infrastructure, we consider that the Plan should be considered unsound as it cannot be concluded that the growth strategy is deliverable. 54. Notwithstanding the above, we are committed to continue working collaboratively with the Council and Devon County Council ahead of Examination, with a view to informing SRN requirements and overcoming our current

concerns. We trust that our response is clear regarding the areas of concern and assists with any further amendments to the East Devon Local Plan prior to Examination in Public. If you require further clarification or wish to discuss any of the above, please do not hesitate to contact us.

Full name: Steve Havers

Organisation (where relevant): National Highways

Proposal:

3. The Spatial Strategy

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

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

3.1

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

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

5. National Highways input to the Local Plan process is guided by the National Planning Policy Framework (NPPF) and DfT Circular 01/2022. Our March 2025 correspondence set out relevant policy extracts guiding our comments. Paragraph 34 of the DfT Circular advises that, "The company's engagement with plan-making will help inform the preparation of the local authority infrastructure delivery evidence base. From a transport perspective, this evidence should provide a means of demonstrating to the examining inspector, development industry and local communities that planned growth is deliverable, and that the funding, partners and relevant processes are in place to enable the delivery of infrastructure; or that there is a realistic prospect that longer term investment can be secured within the timescales envisaged".

6. We note that an Infrastructure Delivery Plan (IDP) (Version 02 dated November 2025) has been submitted in support of the Second Regulation 19 Publication Draft which now includes proposed transport infrastructure to serve the Marlcombe New Community alongside wider allocations. The IDP includes projects to improve SRN junctions at M5 J29, J30 and the A30 Exeter Airport junction, alongside wider public transport and active travel improvements. Whilst the recognition of SRN impacts is a significant enhancement to the Publication Draft, we do not believe that adequate information is currently available to demonstrate the deliverability and effectiveness of the identified improvements. The transport evidence provides no designs for SRN improvements or wider transport measures supporting the Marlcombe New Community, and it is unclear on what basis indicative costs have been estimated. Further work will be required to define the scope and scale of necessary improvements, and to demonstrate their deliverability and effectiveness.

7. National Highways is pleased to continue working collaboratively with East Devon District Council and Devon County Council regarding specific aspects of transport evidence for the East Devon Local Plan. As part of this collaboration, we continue to undertake operational assessment work to consider the potential impacts of growth for selected SRN junctions. We are also contributing early advice in terms of future design considerations for motorway slip roads. In parallel we recognise that Devon County Council are finalising a summary document for the Greater Exeter Transport Study that will outline a range of measures responding to cumulative travel demands across the wider area. Both workstreams should continue to inform future revisions to the IDP ahead of Examination, but we would caution that further work is likely to be required to explore the scope of identified works to increase capacity at M5 J29 and J30 and to demonstrate the extent to which planned growth is reliant on their delivery. Previous Responses and Ongoing Consultations

8. National Highways has provided comments on previous draft versions of the East Devon Local Plan, with our most recent comments set out in our March 2025 response. This response seeks only to build upon previous comments and provide an update on our position in light of ongoing work with the stakeholder authorities.

9. Key comments from our March 2025 correspondence included the following:

• We welcomed plan objectives to promote sustainable transport and ensure infrastructure delivery keeps pace with development growth. However, we raised concern over the adequacy of the transport evidence base and the potential for material impacts on the SRN resulting from development in the West End and the Second New Community (now known as Marlcombe) in particular. We advised that the we considered the Publication Draft plan unsound, on the basis that the development strategy is not informed by proportionate evidence in respect of potential transport impacts and infrastructure requirements including operational modelling of the performance of key junctions. x Registered office Bridge House, *** Personal details have been removed *** Walnut Tree Close, Guildford GU1 4LZ National Highways Limited registered in England and Wales number *** Personal details have been removed ***

• We highlighted ongoing collaboration with East Devon District Council and Devon County Council on the development of transport evidence for the Local Plan and Second New Community (Marlcombe) and advised that amendments to the Greater Exeter Transport Study may be required to reflect any future agreement of measures identified as part of the final Transport Study and Second New Community assessment work.

• We recommended that policies within the East Devon Local Plan should include additional references to the Greater Exeter Transport Study, uncertainty over required

infrastructure improvements and funding, and the need to comprehensively monitor future travel outcomes, thereby adopting a ‘monitor and manage’ approach. 10. Evidence of cumulative traffic demands associated with Local Plan development in East Devon and neighbouring authorities has previously been reported by Devon County Council. National Highways has subsequently accounted for cumulative traffic growth forecasts in our microsimulation modelling of the M5 and A30 – reporting of this work is included as supporting evidence (TRI-033) for the Second Regulation 19 consultation. The work identified the potential for significant congestion at M5 J29 and J30, the A30 Airport roundabouts, and the A3052 Clyst St Mary roundabout. Further model scenarios are being assessed by National Highways and will be reported to East Devon District Council and Devon County Council in due course. As referred to in the Marlcombe Transport Vision document (paragraphs 2.12.1 and 7.7.1), the additional model scenarios seeks to consider the role of background traffic growth alongside planned development. 11. It is welcome that the Version 02 IDP recognises identified SRN capacity constraints but we continue to have concerns over the limited detail regarding necessary infrastructure improvements, alongside their funding and delivery. Whilst we are committed to continue working with the authorities to support the identification of infrastructure required to deliver planned growth, National Highways consider the current evidence to be unsound given the lack of detail regarding the deliverability and effectiveness of the proposed mitigations.

3.1, 3.4

Full name: Martin Humphrey

Proposal:

3. The Spatial Strategy

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

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

3.1, 3.4

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Paragraph 3.1 and 3.4 need to be changed. Just because Exmouth is the largest town in East Devon and classed as the only tier 1 in East Devon, does not mean that it is suitable, sustainable or viable to take the highest levels of growth outside of the West End. It is time that the the issues surrounding any new developments within Exmouth and its surrounding areas were taken into account and not just ignored. The existing sewerage issues and the fact that the existing, and only, Secondary School in Exmouth is working beyond its capacity, are the tip of the iceberg. Exmouth lies on a peninsula, it has the sea on one side to the South, the estuary on another side to the West, and the SSSI Pebblebed Heaths on another side to the East. The only available land for development is to the North, which is the furthest away from the town centre and its services. There are two main access roads into Exmouth, with both already being noted for their congestion which is only exacerbated at weekends and during the holiday seasons. In addition to this, one of these routes is the main access route to the North of Exmouth where the majority of development is planned, and also the main access point for Woodbury and Budleigh Salterton. These access routes cannot be improved, if even possible, without major development and infrastructure improvements and the necessary investment required. In addition to the above, where are the residents of the new community at Marlcombe and all of the other new developments in East Devon and beyond going to go if they want to visit a beach in this area. It will not be Exmouth if we continue to build at this level. It is time to stand up and take notice and to push back. This Spatial Strategy needs to be changed and the whole Tier system needs reviewing.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified

above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Take note of the community and their needs not just to fulfil a government target. Exmouth cannot continue to take this level of development just because we are the only Tier 1 town within the county. Revise the Tier system.

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

Full name: Nigel Humphrey

Proposal:

3. The Spatial Strategy

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

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

3.1, 3.4

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: With regards to paragraphs 3.1b and 3.4b of the Spatial Strategy within the EDDC Draft Local Plan. Just because Exmouth is the largest town in East Devon and classed as the only tier 1 in East Devon, does not mean that it is suitable, sustainable or viable to take the highest levels of growth outside of the West End. It is time that the the issues surrounding any new developments within Exmouth and its surrounding areas were taken into account and not just ignored. The existing sewerage issues and the fact that the existing, and only, Secondary School in Exmouth is working beyond its capacity, are the tip of the iceberg. Exmouth lies on a peninsula, it has the sea on one side to the South, the estuary on another side to the West, and the SSSI Pebblebed Heaths on another side to the East. The only available land for development is to the North, which is the furthest away from the town centre and its services. There are two main access roads into Exmouth, with both already being noted for their congestion which is only exacerbated at weekends and during the holiday seasons. In addition to this, one of these routes is the main access route to the North of Exmouth where the majority of development is planned, and also the main access point for Woodbury and Budleigh Salterton. These access routes cannot be improved, if even possible, without major development and infrastructure improvements and the necessary investment required. In addition to the above, where are the residents of the new community at Marlcombe and all of the other new developments in East Devon and beyond going to go if they want to visit a beach in this area. It will not be Exmouth if we continue to build at this level. It is time to stand up, take notice, and to push back. Exmouth cannot, and must not be made to, develop new homes in the numbers proposed just because we are seen as the largest town in the County.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified

above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Put the necessary infrastructure in place before proposing new developments that are not suitable, sustainable or viable. Seriously reconsider the tier system and realise that this continued push year after year is not sustainable. Stand up for East Devon. Push back against this governments plans.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure that our voices are heard.

3.6, 3.8

Full name: Margaret Leppard

Proposal:

3. The Spatial Strategy

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

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

3.6, 3.8

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The plan does not include any ideas about maximising use of existing housing stock Do we have empty homes officers? e.g. reduce number of 'buy to leave' investments, get the proportion of housing used for holiday lets Air B&B right to balance needs of tourists and locals; fund housing associations to purchase on open market; empty properties in disrepair that owners are unknown/ uncontactable, cannot afford improvements, why not increase enforced sales? See Scotland's Empty Homes Partnership. Raise empty homes premium on council tax. Rehabilitating empty homes provide great opportunities for practical training of tradespeople, genealogists to find owners, (See also p32)

3.8 - 3.9

Full name: Simon Coles

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): Stuart Partners Ltd

Proposal:

3. The Spatial Strategy

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

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

3.8 - 3.9

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The proposed housing targets and stepped trajectory set by Strategic Policy SP02: Levels of future housing development have not been amended and so our previous comments regarding the validity of this approach remain valid. While associated paragraph 3.8 has been amended to identify that the plan will be reviewed/updated if housing delivery falls short or future housing needs change, this is not considered sufficiently robust or clear as to how and when this would take place.

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

Full name: Samantha Thomas

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): Taylor Wimpey

Proposal:

3. The Spatial Strategy

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

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

3.8 - 3.9

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Housing Targets / Delivery
The proposed housing targets and stepped trajectory have not been amended and so our previous comments regarding the validity of this approach remain valid. While associated paragraph 3.8 has been amended to identify that the plan will be reviewed/updated if housing delivery falls short or future housing needs change, this is not considered sufficiently robust or clear as to how and when this would take place. Paragraph 3.9 refers to addressing housing needs by establishing a clear housing requirement based on the New Standard Method. To clarify, the 2nd Reg 19 draft LP only has to meet 80% of the New Standard Method housing need as a minimum. The identified 'headroom surplus' for housing supply has increased to 12.18% but this is due to the accounting period being adjusted to 2025 rather than additional allocations being identified. The previous comments and concerns about the identified number and stepped trajectory remain and it is considered a 20% buffer would be more robust and in line with national policy.

Full name: Samantha Thomas

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): Cavanna Homes

Proposal:

3. The Spatial Strategy

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

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

3.8 - 3.9

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Housing Targets / Delivery
The proposed housing targets and stepped trajectory have not been amended and so our previous comments regarding the validity of this approach remain valid. While associated paragraph 3.8 has been amended to identify that the plan will be reviewed/updated if housing delivery falls short or future housing needs change, this is not considered sufficiently robust or clear as to how and when this would take place. Paragraph 3.9 refers to addressing housing needs by establishing a clear housing requirement based on the New Standard Method. To clarify, the 2nd Reg 19 draft LP only has to meet 80% of the New Standard Method housing need as a minimum. The identified 'headroom surplus' for housing supply has increased to 12.18% but this is due to the accounting period being adjusted to 2025 rather than additional allocations being identified. The previous comments and concerns about the identified number and stepped trajectory remain and it is considered a 20% buffer would be more robust and in line with national policy. The previous comments about the apparent conflict between Strategic Policy HN02 (Affordable Housing), and Policy SP06 regarding the certainty of windfall development also remain valid.

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

3.8

Full name: Hilary Johnson

Organisation (where relevant): Dorset Council

Proposal:

3. The Spatial Strategy

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

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

3.8

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

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

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: The justification to Strategic Policy SP02 notes there is a modest surplus in the projected supply which is described in the emerging plan as a 'healthy headroom surplus of 12.18% that will account for any possible non-delivery'. To deliver the homes Appendix 1 sets out a stepped housing trajectory increasing from 850 homes per year in the early part of the plan period (2020/21 to 2031/32) to 1,070 homes per year in the later part of the plan (2032/33 to 2041/42). It is understood that this stepped rate reflects the time it takes for allocated sites to start to deliver new homes especially given the size of some of the allocations in East Devon. Work on the Dorset Council Local Plan began in 2019, with options consultations in 2021 and August 2025. Dorset Council intends to publish a Regulation 19 plan in August 2026 and submit it for examination in December 2026 under the current plan-making system. In its response to the first East Devon Regulation 19 consultation, Dorset Council stated that it could not confirm whether Dorset would have an unmet housing need. This remains our position until further work is completed on the analysis of the August 2025 consultation responses and further evidence gathering. We therefore welcome the additional text within Strategic Matter H02 added to paragraph 3.8 of the plan confirming that the plan will be reviewed in accordance with national policy should housing delivery or identified needs, including unmet needs from adjacent authorities, change in the future.

Full name: Samantha Thomas

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): Taylor Wimpey

Proposal:

3. The Spatial Strategy

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

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

3.8

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Housing Targets / Delivery
The proposed housing targets and stepped trajectory have not been amended and so our previous comments regarding the validity of this approach remain valid. While associated paragraph 3.8 has been amended to identify that the plan will be reviewed/updated if housing delivery falls short or future housing needs change, this is not considered sufficiently robust or clear as to how and when this would take place.

Full name: Samantha Thomas

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): Taylor Wimpey

Proposal:

3. The Spatial Strategy

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

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

3.8

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Housing Targets / Delivery
The proposed housing targets and stepped trajectory have not been amended and so our previous comments regarding the validity of this approach remain valid. While associated paragraph 3.8 has been amended to identify that the plan will be reviewed/updated if housing delivery falls short or future housing needs change, this is not considered sufficiently robust or clear as to how and when this would take place. Paragraph 3.9 refers to addressing housing needs by establishing a clear housing requirement based on the New Standard Method. To clarify, the 2nd Reg 19 draft LP only has to meet 80% of the New Standard Method housing need as a minimum. As noted above, the identified 'headroom surplus' for housing supply has increased to 12.18% but this is due to the accounting period being adjusted to 2025 rather than additional allocations being identified. The previous comments and concerns about the identified number and stepped trajectory remain and it is considered a 20% buffer would be more robust and in line with national policy.

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

Full name: MR D. MORGAN

Proposal:

3. The Spatial Strategy

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

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

3.8

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Paragraph 3.8 (Page 29). Quote: "Delivering a sufficient supply of homes'homes is an NPPF policy theme. The NPPF requires Local Plans to identify and meet as a minimum the objectively assessed development needs for their area. The purpose of this strategic policy is to set out what the housing development requirements are for East Devon for the plan period. This is central to the council's 'plan, monitor and manage' approach to housing development. In the event of housing not being delivered in accordance with the plan and/or the identified need for new homes changing in the future, including taking account of possible unmet needs in neighbouring areas, the requirements of national policy and legislation for a review/update of the plan will be followed."

The final amended sentence in paragraph 3.8 does not provide any indication of a commitment to undertake further consultation with the public at every stage of this review/update. This would be necessary to ensure there is local support of the proposals, and to acknowledge local knowledge on the opportunities and limitations of delivering additional new housing is recognised and given equal consideration.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: A follow-on final sentence needs to be included after the

proposed amendments for paragraph 3.8, which reads as: "Any review/update of the plan will seek to further consult with the local population, as part of a further consultation exercise, to establish their views on such proposals and that local knowledge will be recognised and given sufficient consideration as part of any amendments that might be made to housing development requirements."

This approach for further consultation would also align with the 'duty to cooperate' policy of EDDC and is a statutory requirement.

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

4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Paragraph 3.8 does not provide evidence that further consultation with the local population will take place if there is to be any amendments made to housing development requirements after the Local Plan has been adopted.

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

Full name: Rachel Danemann

Organisation (where relevant): Home Builders Federation

Proposal:

3. The Spatial Strategy

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

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

3.8

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The known unmet need in Exeter and Torbay:

The Dec 2024 NPPF is clear that Local Plans should be proactively planning for their area, which includes helping to address the housing crisis. However, East Devon Plan is not contributing as much as it could, or should, be to helping to meet this key national housing policy goal and indeed is at-tempting to manipulate the transitional arrangements so it does not have to do so. As such the Plan is not doing what it should be to make its contribution to achieving this national policy objective, as such it is currently unsound. If the Plan is to proceed on its current basis at the very least it needs to include a policy for the immediate review of this Plan, especially as there is a known and long-standing challenge of delivery the housing needs of Exeter and Torbay within their boundaries. Although para 3,8 of the second Reg 19 Plan references the potential need for a review/update of the Plan, there is no policy that requires it. One should be added to the Monitoring and Implementation Chapter.

HBF note that the Exeter Local Plan has now been submitted for Examination, this has highlights some potential challenges of meeting the full standard method housing need within the Council's boundary. Similarly, Torbay Council is currently consulting on a Reg 18 version of their next Local Plan and this too highlights potential challenges facing the Council is delivering their standard method within their boundary. This highlights both the need for ongoing engagement with neighbouring authorities to ensure that the housing needs of the wider sub-region are met in full. The failure to do so would impact negatively on both East Devon and the wider region and impact negatively on the growth

ambitions and addressing the housing crisis. In our view this underlines the importance of East Devon planning to meet their full standard method housing in full as a minimum. Indeed, it is likely the figure for East Devon may need to be increased further in light of unmet from the wider region.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: If the Plan is to proceed on its current basis at the very least it needs to include a policy for the immediate review of this Plan, especially as there is a known and long-standing challenge of delivery the housing needs of Exeter and Torbay within their boundaries. Although para 3,8 of the second Reg 19 Plan references the potential need for a review/update of the Plan, there is no policy that requires it. One should be added to the Monitoring and Implementation Chapter.

3.9

Full name: Simon Coles

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): Stuart Partners Ltd

Proposal:

3. The Spatial Strategy

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

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

3.9

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Paragraph 3.9 refers to addressing housing needs by establishing a clear housing requirement based on the New Standard Method. To clarify, the 2nd Reg 19 draft LP only has to meet 80% of the New Standard Method housing need as a minimum.

Full name: Samantha Thomas

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): Taylor Wimpey

Proposal:

3. The Spatial Strategy

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

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

3.9

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Paragraph 3.9 refers to addressing housing needs by establishing a clear housing requirement based on the New Standard Method. To clarify, the 2nd Reg 19 draft LP only has to meet 80% of the New Standard Method housing need as a minimum.

Full name: Samantha Thomas

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): Taylor Wimpey

Proposal:

3. The Spatial Strategy

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

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

3.9

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Housing Targets / Delivery
The proposed housing targets and stepped trajectory have not been amended and so our previous comments regarding the validity of this approach remain valid. While associated paragraph 3.8 has been amended to identify that the plan will be reviewed/updated if housing delivery falls short or future housing needs change, this is not considered sufficiently robust or clear as to how and when this would take place. Paragraph 3.9 refers to addressing housing needs by establishing a clear housing requirement based on the New Standard Method. To clarify, the 2nd Reg 19 draft LP only has to meet 80% of the New Standard Method housing need as a minimum. As noted above, the identified 'headroom surplus' for housing supply has increased to 12.18% but this is due to the accounting period being adjusted to 2025 rather than additional allocations being identified. The previous comments and concerns about the identified number and stepped trajectory remain and it is considered a 20% buffer would be more robust and in line with national policy.

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

3.11

Full name: Dan Trundle

Organisation (where relevant): Black Box planning

Other party name (if relevant): Greendale Group (FWS Carter & Sons Ltd) and Crealy Farms

Proposal:

3. The Spatial Strategy

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

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

3.11

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Since the First Consultation, it is recognised that there has been an addition to the Planning Practice Guidance (PPG) which states as follows:

3.17 Firstly, this expression of national policy does not override the clear legal and procedural requirements of Section 20(2) and Regulation 19 for the local plan to be the version the Council proposes to submit for examination. This is an essential part of the legal definition of 'proposed submission documents' which is referred to at Footnote 82.

3.18 At the time, the First Consultation (ref Page 5) did acknowledge that it represented the first planned phase of Regulation 19 consultation with second phases planned to run from Spring 2025 to early summer. At the time, it was also acknowledged that "the plan in current draft form covers all local plan matters with the exception of full policy details on the new community proposals".

3.19 It was also stated that "Evidence work, as at early 2025, is ongoing in respect of the new community as well as on other inter-related local plan matters. Once this evidence work is completed, and policy gaps in the plan can be filled in, and further policy refinement undertaken, the second phase of consultation will take place".

3.20 However, the November 2025 officer report to Strategic Planning Committee acknowledged1 that "the most significant changes are made in respect of policy in the plan for the new community (2nd after Cranbrook) as now named and referenced in the

plan as Marlcombe. The key intent of running the 2nd stage of consultation was specifically to address new community / Marlcombe plan policy".

3.21 Unquestionably, there is an acknowledgement by the Council that the content of the plan has changed from the First Consultation to the Second Consultation. It might have been justifiable in the context of the June 2025 PPG allowance (referred to above), to have dealt with more subsidiary policy or evidence matters as part of this Second Consultation, but the Council is 1 Paragraph 2.4 – Officer Report to Strategic Planning Committee – 25th November 2025 Regulation 19 Representations East Devon Local Plan 2020-2042 GREENDALE GROUP AND CREALY FARMS JANUARY 2026 | PAGE 15 essentially openly acknowledging that the single most important component of their plan, upon which its success or failure is dependent, was insufficiently evidenced at the time of the First Consultation and not ready for independent examination.

3.22 Irrespective of whether the overall spatial strategy has remained consistent, there are evidently widespread changes to the plan, and its evidence base, that indicate that the content of the proposed submission plan has changed significantly.

3.23 It would appear that the Council is fully aware of its precarious circumstances with respect the Transitional Arrangements, with officers having advised Strategic Planning Committee in September 20252 "we need to be very wary of the potential for challenges around whether we fall foul of rules around having two or more stages of consultation".

3.24 This representation considers that the plan does not fully accord with Regulation 19 at the time of writing and unequivocally this was not the case by 12th March 2025. In accordance with NPPF Paragraph 234, the plan should therefore be examined under the policies of the current version of the Framework.

3.25 Plainly, under normal circumstances, the plan would not have proceeded to Regulation 19 consultation in March 2025 given its premature and incomplete state at that time and it was self-evidently published merely in attempt to benefit from the Transitional Arrangements – with the outcome being delivering less housing than is needed. This is a completely contrived position which wholly disregards the policy and procedural requirement to plan positively.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Moving forward, the Plan should be examined in accordance with the December 2024 NPPF and meet its full housing requirement, having regard to the Local Housing Need as calculated by the up-to-date Standard Methodology.

3.27 Of particular relevance for this Regulation 19 consultation are the Tests of Soundness, set out at NPPF Paragraph 36, namely, whether the plan is: (a) Positively prepared; (b) Justified; (c) Effective; and (d) Consistent with national policy.

3.28 It is Greenhayes position that there is much to be applauded within the Local Plan as currently drafted. However, it plainly does not go far enough to meet the full objectively assessed needs and development requirements of the District in a sound manner.

Full name: Dan Trundle

Organisation (where relevant): Black Box planning

Other party name (if relevant): Greendale Group (FWS Carter & Sons Ltd) and Crealy Farms

Proposal:

3. The Spatial Strategy

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

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

3.11

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The current National Planning Policy Framework was published in December 2024. However, it included provisions, within Annex 1, to enable draft local plans to continue preparation and examination, as part of the Transitional Arrangements, in accordance with the previous December 2023 version of the NPPF.

3.2 The Transitional Arrangements are set out at NPPF Paragraph 234, which identifies that for the purpose of preparing local plans, the policies in the current version of the Framework will apply from 12th March 2025.

3.3 This is the case except where the plan has reached Regulation 19 (pre-submission stage) on or before 12th March 2025, and its draft housing requirement meets at least 80% of Local Housing Need (refer to NPPF Paragraph 234(a)). In which case, the plan will be examined under relevant previous version of the Framework.

3.4 NPPF Paragraph 237 sets out that those local plans that comply with NPPF Paragraph 234(a) referenced above, should proceed to examination within a maximum of 18 months from 12th December 2024 (i.e. 12th June 2026), or 24 months of that date if the plan has to return to the Regulation 18 stage.

3.5 It is understood that East Devon District Council consider that the Transitional Arrangements are engaged as the plan had “reached Regulation 19 stage” on or before 12th March 2025 and therefore the plan should be examined against the previous version December 2023 version of the Framework.

3.6 As comprehensively set out in our earlier representation, Greenhayes consider that the plan had not "reached Regulation 19 stage" on or before 12th March 2025 in consideration of the meaning given at Footnote 82 and the Town and County Planning (Local Planning) (England) Regulations 2012.

3.7 NPPF Footnote 82 explains that in this context "reached Regulation 19" refers to when Regulation 19 has been complied with. Accordingly, Regulation 19 of the Town and County Planning (Local Planning) (England) Regulations 2012 states, in full, that: 'Before submitting a local plan to the Secretary of State under Section 20 of the Act, the local planning authority must: (a) Make a copy of each of the proposed submission documents and a statement of the representations procedure available in accordance with Regulation 35; (b) Ensure that a statement of the representations procedure and a statement of the fact that the proposed submission documents are available for inspection and of the places and times at which they can be inspected is sent to each of the general consultation bodies and each of the specific consultation bodies invited to make representations under Regulation 18(1)'.

3.8 Regulation 17 sets out the application and interpretation of Part 6 (which includes Regulation 19). This sets a legal definition for "proposed submission documents" and this extends (inter-alia) to: Regulation 19 Representations East Devon Local Plan 2020-2042 GREENDALE GROUP AND CREALY FARMS JANUARY 2026 | PAGE 13 (a) "the local plan which the local planning authority propose to submit to the Secretary of State" (e) "such supporting documents as in the opinion of the local planning authority are relevant to the preparation of the local plan". i.e. the full local plan supporting evidence base.

3.9 Section 20(2) of the Planning Compulsory Purchase Act 2004 is clear that a local planning authority must not submit a development plan document unless they think the document is ready for independent examination. Indisputably, the Council did not consider the document to be ready for independent examination at that time of the First Consultation. It simply was not the plan that the Council proposed to submit to the Secretary of State.

3.10 The Transitional Arrangements at NPPF Paragraph 234 and Footnote 82 are therefore purely a consideration of legal compliance, and the First Consultation evidently did not comply fully with the procedural requirements of Regulation 19.

Full name: Dan Trundle

Organisation (where relevant): Black Box planning

Other party name (if relevant): Greendale Group (FWS Carter & Sons Ltd) and Crealy Farms

Proposal:

3. The Spatial Strategy

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

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

3.11

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: It remains clear that the emerging plan and previous consultation were artificially brought forward to fall within the provisions of the Transitional Arrangements for Plan Making as set out in the December 2024 version of the NPPF at Annex 1: Implementation.

1.10 However, as set out in our previous Representation, the First Regulation 19 Consultation did not fully meet the requirements of Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and therefore did not meet the Transitional Arrangements.

1.11 These steps were deliberately taken by the Council in order to work towards against an arbitrarily capped housing requirement (950 dwellings per annum), rather than the full local housing need as calculated by the Governmentâ€™s standard method (1,188 dwellings per annum) â€“ equating to a significant difference of 5,236 no. homes over the 22-year plan period.

1.12 This is a critical issue and one which has real world consequences - equating to a significant difference of 5,236 no. less homes delivered over the 22-year plan period. To put this into some perspective, this is more than the entirety of the Councilâ€™s housing waiting list which had 4,909 no. households registered on it in 2025.

1.13 It is also clear that, in accelerating the Local Plan timetable, to meet the Transitional Arrangements, there were several unresolved matters and significant evidential gaps in the First Consultation, which were acknowledged by the Council at the time, which thus necessitated this Second Consultation (in accordance with

Regulation 19). These shortcomings go to the heart of the tests of soundness and should be available prior to consultation of a pre-submission Local Plan.

1.14 Section 20(2) of the Planning Compulsory Purchase Act 2004 is clear that a local planning authority must not submit a development plan document unless they think the document is ready for independent examination. Before submitting a plan under Section 20, the local authority must also comply with Regulation 19. Regulation 19 Representations East Devon Local Plan 2020-2042 GREENDALE GROUP AND CREALY FARMS JANUARY 2026 | PAGE 5

1.15 These Representations have set out matters in respect of soundness and legal compliance which require resolution prior to the plan being advanced for submission to the Secretary of State for Examination under Section 20.

1.16 If the Plan were submitted at this stage, it could not be concluded as being positively prepared, justified, effective or consistent with national policy.

1.17 It will be set out that, in order to address serious issues of soundness, it would be entirely appropriate to identify 2,000 homes at Greenhayes, immediately to the south of the current preferred location for Marlcombe. This would enable the new community to come forward in accordance with the Governmentâ€™s New Town Programme which envisages at least 10,000 homes, as well as aiding early infrastructure delivery alongside housing delivery in a sustainable manner within the plan period.

1.18 Greenhayes would very much welcome further engagement with the Council to set out a Local Plan which is robust, with sustainable development at its heart. This includes discussion on the role that Greenhayes could play in the successful delivery of the plan and the provisions relating to the expansion of the CVRP.

Full name: Simon Coles

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): Stuart Partners Ltd

Proposal:

3. The Spatial Strategy

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

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

3.11

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The identified 'headroom surplus' for housing supply at paragraph 3.11 has increased to 12.18% but this is due to the accounting period being adjusted to 2025 rather than additional allocations being identified. The previous comments and concerns about the identified number and stepped trajectory remain and it is considered a 20% buffer would be more robust and in line with national policy.

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

Full name: Simon Coles

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): Stuart Partners Ltd

Proposal:

3. The Spatial Strategy

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

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

3.11

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

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.: Transitional Arrangements It is considered that the Council is unable to rely on the transitional arrangements set out in the NPPF 2024 by virtue of the approach it has taken to the publication of two Regulation 19 Local Plans and the significant changes that have been made to the 1st Reg 19 draft LP and its evidence base. The PPG contains the relevant guidance on this matter, which is set out below in full: How do the implementation aspects of the NPPF apply to plans where more than one round of Regulation 19 consultation has been undertaken? Some local planning authorities may undertake more than one round of Regulation 19 consultation on a plan. Where this is the case, for the purposes of implementing Annex 1 of the Framework, a plan is normally to be taken as having reached the Regulation 19 stage at the date on which the first round of Regulation 19 consultation commenced. However, in some limited circumstances, a plan is to be taken as having reached Regulation 19 on the date that a subsequent round of consultation commenced. These limited circumstances could include instances such as when the content of an emerging plan has changed significantly from the one presented at the initial Regulation 19 stage. Paragraph: 86 Reference ID:61-086-20250616 Revision date: 26 06 2025 Changes to the Local Plan The above amendment to the PPG was introduced after the 1st Reg 19 draft LP was published for consultation and constitutes a material change in the policy context regarding the application of the transitional arrangements. The PPG cites one example of the limited circumstances that include [our emphasis] a scenario whereby a plan has reached Regulation 19 only on the date that a subsequent draft plan has been published which has changed significantly from the initial Regulation 19 plan. It is considered that this scenario applies in this case because significant changes have been introduced into the 2nd Reg

19 draft LP. These changes can be seen plainly in the tracked change version of the 2nd Reg 19 draft LP available on the Council's on-line Examination page and include:

1. Amendments that seek to address legal compliance shortcomings and respond to consultation comments on the 1st Reg 19 draft LP:

• Duty to Co-operate: New section and footnote at 1.14 seeking to justify the (in our view inadequate) approach taken to the Duty to Co-operate. Amendments to numerous policies including: ? Significant changes to Strategic Policy WS01 Marlcombe ? Numerous site allocation policies (see below). ? Strategic Policy AR02: Water Efficiency. Amended to also relate to water quality, with a suite of new requirements placed on applicants. See also "Changes to the Evidence Base" below. ? Strategic Policy PB01: Protection of internationally and nationally important wildlife sites (policy and text), with the introduction of "very demanding tests". ? Strategic Policy PB04: Habitat Regulations Assessment (HRA) and mitigation strategies (policy and text). ? Seeking to justify 20% BNG in Strategic Policy PB05: Biodiversity Net Gain (BNG) ? Policy PB09: Monitoring requirements for new planting schemes. It is considered that a number of these policies risk prejudicing housing delivery on allocated, windfall and other sites by imposing unjustified and unreasonable demands on applicants and restrictions on the scale of new development. 2. New provisions that arise from new evidence and work undertaken by the Council since the 1st Reg 19 draft LP: It is evident that when the Council set its two stage Regulation 19 strategy, it was envisaged that only matters of policy detail in respect of Strategic Policy WS01 would be added and be informed by ongoing evidence work. This is made clear on Page 5 of the tracked changes to the 2nd Reg 19 draft LP. What is clear with the publication of the 2nd Regulation 19 draft LP is that the exercise to complete the necessary evidence work and fill in the policy gaps was in fact extensive and significant. Changes to the Evidence Base The PPG does not define other limited circumstances, but it does imply quite clearly that significant changes to the plan itself are not the only circumstances in which a plan would not benefit from the transitional arrangements. It is considered that another limited circumstance could include the introduction of new and significantly different evidence prepared in connection with the emerging plan. This is considered to apply in this case and relates to the following extensive suite of evidence that was uploaded in November 2025, being new evidence that was not presented in connection with the 1st Reg 19 draft LP. Second Regulation 19 Publication Draft Local Plan Sustainability Appraisal report November 2025 (CSD-003 rev)

• East Devon Local Plan Viability Assessment Addendum (CSD-004a) Habitats Regulations Assessment of the East Devon Local Plan 2020 – 2040 (Second Regulation 19 Publication Draft Plan – Autumn 2025) (CSD-006 rev b)

• Equalities Impact Assessment (2nd Reg 19) November 2025 (CSD_008(rev))

• Statement of Representations Procedure November 2025 (CSD_009(rev))

• Duty to Cooperate – Statements of Common Ground December 2025 (CSD_010 a-d)

• Statement of Community Involvement (SCI) November 2025 (CSD-011)

• Duty to Co-operate 10/12/25 (KSD-002)

• Infrastructure Delivery Plan November 2025 - Version 02 (KSD_001 (rev))

• Settlement Boundaries Topic Paper November 2025 (KSD-010(rev))

• Technical Assessment of Housing Delivery November 2025 (HOU-001)

• East Devon Local Housing Needs Assessment (Oct 2025) (HOU-002(rev))*

• Method options for calculating housing requirements for designated neighbourhood Areas in East Devon November 2025 (HOU-013)

• Custom and Self-Build Topic Paper November 2025 (HOU—015)

• South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy November 2025 (ENV_009(rev))

• Mitigation of Air Quality Impacts – East Devon Pebblebed Heaths – Technical Report October 2025 (ENV-033)

• Mitigation Strategy for Air Quality Impacts – East Devon Pebblebed Heaths November 2025 (ENV-034)

• Coastal Change Topic Paper (Oct 2025) (CCF-005 (rev))

• The East Devon Water Cycle Study Revised, November 2025 (13 November 2025) (CCF-001)

• Adaption and Resilience to Climate Change: Flood Risk Second regulation 19 consultation September 2025 (CCF-004(rev))

• Adaption and Resilience to Climate Change: Coastal Change Second reg 19 consultation version 02 November 2025 (CCF-005(rev))

• Evidence for Increased Water Efficiency November 2025 (CCF-026)**

• Catchment data Explorer – East Devon Management Catchment November 2025 (CCF_028)***

• Catchment Data Explorer – South West Trac Management Catchment November 2025 (CCF-029)***

• Catchment Data Explorer – Lyme Bay East water Body November 2025 (CCF-030)***

• Transport – Various Site Assessments – (TRI_023b), (TRI-027)

• Transport evidence – Empirical Data Report March 2025, uploaded November 2025 (TRI-026)

• Greater Exeter Transport Study Mitigation Modelling (September 2025) uploaded November 2025 (TRI-029) • Greater Exeter Transport Study Technical Note 1 (August 2025) uploaded November 2025 (TRI-030 and 030a)

• Greater Exeter Local Plan Growth – Vissim Modelling November 2025 (TRI-033)

• Heritage Study 2024 – 2042 uploaded November 2025 (HRD-004)

• Various site selection reports uploaded in November 2025

• A Vision for Marlcombe September 2025

• Strategic Outline Business Case for Marlcombe - Phase 1 (Executive Summary) (September 2025) (NWS-005) *With paragraph 8.4 noting that more detailed guidance will be issued and specific guidance may be needed for Marlcombe. **Dated July 2024, but not uploaded until November 2025 ***EA data updated 17.03.25, but not uploaded until November 2025 The assessment at Appendix 1 sets out the key differences in the Sustainability Appraisal prepared in connection with the 1st Reg 19 draft LP and the November 2025 version. Planning Officer Advice on the PPG The extracts below are from the Council's Strategic Planning Committee on 02.09.25. Officers considered that examples of other limited circumstances under the PPG could be: Officers clearly grappled with the issues raised in the PPG. They advised that one of more substantial changes could make the Council vulnerable, as could a larger number of smaller changes or a mixture of the two. It is considered that the 2nd Reg 19 draft LP makes a number of substantial changes together with scores of smaller changes (or varying degree of scale) that amount to significant cumulative change, contrary to the PPG. In producing the 2nd Reg 19 draft LP, this advice was clearly not heeded by the very officers who drafted it. Consultation Draft NPPF (December 2025) It is acknowledged that the 2nd Reg 19 draft LP will be examined against the provisions of the NPPF December 2023. However, the direction of travel is material insofar as the national DM policies contained in the consultation draft NPPF will prevail if there is a conflict with Local Plan policies. There seems little point in finding local plan policies sound that we already know will ultimately attract only limited weight in the planning balance if/when the new NPPF is published – which is likely to be before the examination of this plan. A prime example of this is the proposed blanket 20% BNG requirement on all sites, as set out in Strategic Policy PB05: Biodiversity Net Gain (BNG). *** Personal details have been removed *** MP's letter to PINS dated 30 July 2024 *** Personal details have been removed *** MPs letter to the Chief Executive of The Planning Inspectorate dated 30 July 2024 states that: "Section 20 of the Planning and Compulsory Purchase Act 2004 provides that a local planning authority must not submit a local plan unless they have complied with relevant legislative requirements, and they think the plan is ready for

independent examination by a Planning Inspector. Accordingly, an authority should not be submitting for examination a deficient plan believing the Inspector will use significant time and resource during the examination to 'fix it'". The very act of publishing the 2nd Reg 19 draft LP indicates that the Council decided that 1st Reg 19 draft LP was not ready for public examination. It is considered that the changes needed to the 1st Reg 19 draft LP and its associated evidence base have, out of necessity, been so significant as to prevent the Council from claiming it benefits from the transitional arrangements. is also arguable whether even the 2nd Reg 19 draft LP is ready for examination, given the legal and technical deficiencies in the plan and its evidence base as described above and in representations submitted in connection with the 1st Reg 19 draft LP. The scope and nature of our representations in tandem with the above analysis confirms that the 1st Reg 19 draft LP was not ready for publication. However, it was published regardless solely with the aim of meeting the transitional provisions in the December 2024 NPPF. As a result, the Council was able to postpone the challenge of having to meet the full housing need identified in the New Standard Method - an additional 5,227* dwellings over the Plan period - until some unknown point in the future and very probably, after local government reorganisation. This approach is consistent with the Council's withdrawal from GESP and its approach of allocating sites for development but then imposing significant policy obstacles to delivery. *A report to the Council's Strategic Planning Committee on 02.09.25 confirmed that the New Standard Method housing need was 1,188 per annum, amounting to 26,136 homes over the Plan period. This compares to the minimum of 20,909 homes that the Council needs to provide under the transitional arrangements - some 5,227 homes less than the New Standard Method need. Despite the subsequent publication of the above PPG paragraph, the Council had little choice but to press ahead and publish the 2nd Reg 19 draft LP in November 2025 and claim that only limited changes had been made, even though it quite clearly incorporated significant changes to both the 1st Reg 19 draft LP and its associated evidence base. Based on the Council's own evidence, it is considered that it has failed comprehensively to meet the Duty to Cooperate. Accordingly, it is considered that the 2nd Reg 19 draft LP should not be permitted to proceed in accordance with the transitional arrangements. This would mean that a new or amended plan should be produced that allocates sufficient sites to meet housing need in the New Standard Method in full. The concept of Marlcombe as a New Town is supported. However, it is considered that there remain significant gaps in the evidence relating to deliverability and phasing because of the absence of a fully costed Infrastructure Delivery Plan and business case supporting the ambitious policy aspirations for the delivery of services and facilities (for example the education hub) in early phases. Even if it is found that the 2nd Reg 19 draft LP does satisfy the transitional arrangements and the PPG, and putting to one side our concerns about the Duty to Co-operate (see previous representation and above), it is considered that it should be amended as follows:

1. To address the matters on specific policy-related matters identified in our representations on the 1st and 2nd Reg 19 draft LP's (above and attached).

2. To allocate our client's site for a new village of up to 2,000 homes to complement Marlcombe and deliver the remaining 2,000 homes (that are not allocated in the 2nd Reg 19 draft LP), being the very least that are needed for Marlcombe to achieve New Town status.

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

Full name: Andy Shepley

Organisation (where relevant): OG Group Ltd

Other party name (if relevant): Rubix Strategic Ltd

Proposal:

3. The Spatial Strategy

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

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

3.11

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

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

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

2.1 Paragraphs 234a and 235 of the current NPPF identify that where an emerging Local Plan has reached Regulation 19 stage on or before 12th March 2025 and the housing requirement meets at least 80% of local housing need that arises from the current standard method, then the emerging Local Plan will be examined under the relevant previous version of the NPPF.

2.2 The emerging East Devon Local Plan was subject to a first Regulation 19 consultation from February to March 2025. The PPG (61-086) explains that where a second Regulation 19 consultation is undertaken, the emerging Local Plan should be assumed to have reached Regulation 19 stage at the date the first consultation commenced unless the content of the emerging Local Plan has changed significantly. The changes between the first and second Regulation 19 consultation documents are not significant in East Devon, and so the emerging Local Plan can be taken to have reached Regulation 19 stage in advance of 12th March 2025.

2.3 Furthermore, Strategic Policy SP02 proposes a requirement of 20,909 homes over the period 2020-42, which equates to 950 per annum. This represents 82.2% of the current minimum local housing need for 1,156 homes per annum that arises from the current NPPF.

2.4 As a consequence, at least at present, it would appear that the transitional arrangements of paragraph 234a and 235 are likely to be engaged and the emerging

Local Plan should be examined in the context of the NPPF of December 20231. As such all future references to the NPPF are to the NPPF of December 2023 unless otherwise stated.

2.5 However, updated affordability ratios will be published in March 2026 and updated information on the housing stock in May 2026. These will each affect the minimum local housing need that arises from the current standard method, and so following the publication of each of these datasets it will be necessary to calculate whether the housing requirement of the emerging Local Plan continues to meet at least 80% of the minimum local housing need which in turn will determine whether the transitional arrangements are engaged. The following representations however proceed on the basis that the transitional arrangements will be engaged.

2.6 It should be acknowledged that as a consequence of the transitional arrangements, the emerging Local Plan identifies a requirement for 20,909 homes over the period 2020-42. 1 As set out in paragraph 230 of the NPPF of December 2023. R001v1 | NT | January 2026 5 However, current national policy identifies that there is actually a minimum local housing need for 19,649 homes over the period 2025-42 which in addition to the 4,204 homes delivered from 2020-25 results in a minimum need for 23,853 homes over the proposed plan period 2020-42. Therefore, as a consequence of the transitional arrangements, the housing requirement falls short of meeting current minimum needs by 2,944 homes and whilst the proposed housing requirement is not unsound as a consequence, every effort should be made to exceed the proposed housing requirement and better respond to this proposed substantial shortfall of provision relative to current minimum local housing needs.

Full name: Thomas Shillitoe

Proposal:

3. The Spatial Strategy

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

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

3.11

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

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

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals".

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals".

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

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Why is the LPA not using the latest ONS housing affordability figures as is mandatory.

Full name: Rachel Danemann

Organisation (where relevant): Home Builders Federation

Proposal:

3. The Spatial Strategy

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

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

3.11

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

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

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

1. HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing.

HBF provided detailed comments in response to the March 2025 First Regulation 19 consultation raising concerns about the process the Council was intending to follow. These concerns remain. We remain very concerned that Easts Devon is attempting to manipulate the transitional arrangements to try and adopt a Plan which plans for only 80% of the housing needs of East Devon, rather than planning for the full needs as would be required by a Plan that had reached publication stage in Jan 2026 as is actually the case for this Plan. The Councils own reports in support of the Plan clearly set out this choice. We are disappointed that the Council is so blatantly and explicitly seeking to manipulate the transitional arrangements for this purpose instead of seeking to proactively plan to meet the housing needs of their area in full. Such an approach is even more surprisingly when the Council is also actively seeking to deliver a significant uptick in housing numbers through the new community of Marlcombe.

The publication of the new 2025 NPPF for consultation just before Christmas sets out the clear direction of travel of Government policy and practice for planning. This further

underlines our concerns about the process. We have therefore provided further comments about our concerns about the process which build on the issues we have raised previously. In order to effectively engage with the consultation process we have needed to refer to 2023, 2024 and 2025 versions of the NPPF. For clarify we have therefore specified which NPPF version we are referring to in each case. We have clearly stated which version of the NPPF when we are referring to the NPPF. This is in recognition of the fact that the Plan is being considered against the 2023 version but is mindful of the 2024 version provides context and direction of travel from the Government. However, the new Dec 2025 NPPF provides a further update on context and direction of travel from the Government. In our view the Dec 2025 NPPF adds further weight to our concerns about the soundness of this Plan.

In relation to the policies in the second Reg 19 consultation, we are unclear if the comments we made in relation to the policies in the first Reg 19 consultation will be rolled forward. We note that the consultation is characterised as relating to the new community at Marlcombe, but in fact other significant changes have been proposed to other policies, including for example the Water Quality and Efficiency policy AR02. We have therefore reviewed and updated our comments on all the previous policies we had commented, and we have provided new comments where required. We have still not commented on every policy, only those of relevance to our members.

Impact of the current Dec 2025- March 2026 NPPF consultation:

We note that the Council is intending for this Plan to be prepared and examined under the Dec 2003 NPPF, and say the document says the Plan is mindful of the new national guidance and the direction of travel of Government policy in the Dec 2024 version of the NPPF. However, there is now of course have another version of the NPPF sets out a new approach which seeks to separate out national plan-making and decision-making guidance.

The Dec 2025 NPPF clearly sets out the Government's intention to move towards a new more rules-based approach for decision-making with consistency across standard common matters being provided at the national level. The consultation sets out that Local Plans should not include policies on matters already addressed through Building Regulations and other regulatory regimes except when it comes to parking standards and the percentage of homes locally required to meet the accessibility standards M4(3)a and M4(3)b. The proposals clearly set out that the Government view is that any

Local Policies which conflict with the new NPPF should not be able to be taken into account in decision-making. HBF therefore observe that some of suite of Development Management policies being proposed (and objected to) in this draft Plan are likely to be replaced and/or made redundant by those in the new NPPF. HBF would therefore strongly encourage the Council to fully consider the implications of this for the delivery and implementation of this Plan. We also however continue to maintain our objection to the soundness of many of these policies under the Dec 2023 system.

Impact of the Dec 2024 revisions to the NPPF:

The Dec 2024 new standard method for calculating housing need was published alongside the NPPF on 12th Dec 2024. Transitional arrangements for Plans currently being prepared are set out in this document. It states that 'for the purpose of preparing local plans, the policies in this version of the Framework will apply from 12 March 2025 other than where one or more of the following apply: the plan has reached Regulation 19 (pre-submission stage) on or before 12 March 2025 and its draft housing requirement meets at least 80% of local housing need; [or] the plan has been submitted for examination under Regulation 22 on or before 12 March 2025; [or] the plan includes policies to deliver the level of housing and other development set out in a preceding local plan adopted since 12 March 2020 . . .'.

The Government's is clear that its overarching housing policy seeks to deliver 1.5 million new homes over the course of the Parliament and the introduction of the new stock-based standard method is intended to result in a significant uptick in the delivery of new homes. For new housing to be delivered within the Parliament, work to support this increase must start immediately.

It is the HBF's understanding that the intention of the 80% allowance in the standard method was for it to be a test to be applied to Plans that were an advanced stage of preparation and were progressing and had already set a housing number. If, for these Plans, the housing figures were less than 80% of the new standard method the Council needed to revisit the housing figures but if was 80% or more, then the benefits of continuing with a plan and getting a plan in place, albeit with lower numbers, out-weighed the disbenefits of not having a Plan.

However, this is not how East Devon Council is attempting to use the regulations. In this Plan the transitional arrangements are being used to try and justify this new Plan only having to plan for 80% of the standard method. The housing requirement has been derived on this basis; the 80% is how the Council have come up with their housing figure, it is not being used as test being applied to an existing housing figure in a well-advanced Local Plan. HBF do not believe that the way East Devon intends to proceed was the intention of the Government's transitional arrangements. Furthermore, it was clear in the March 2025 consultation that a further Regulation 19 consultation would be needed to address issues about the new community. This suggests that the Plan was put out for consultation before it was ready, simply to benefit from an assumed ability to Plan for only 80% of the housing need of East Devon. This means that the Plan has not been positively prepared, and as such is unsound.

The Government Response to the proposed reforms to the NPPF and other changes to the Planning system consultation provides a helpful flow diagram of the transitional arrangements, which is copied below (see Figure 1 below [see attachment]).

This clearly sets out that Plans at Reg 19 stage should be meeting at least 80% of the standard method, not be planning for 80% of the standard method. Other national policy in the NPPF, PPG and elsewhere is clear that the Government seeks to increase house building, and Plans that are only aiming to deliver 80% of their part of the national requirement cannot be consistent with the wider Government housing policy objectives.

It is noted that the flow diagram also clearly set out a timeframe for the progression of a Plan under the transitional arrangements. HBF particularly note that the Plan should proceed to Examination within 18 months of 12 March 2025. As the Council acknowledged back in March 2025 this further consultation on the policies relating to the new community in the West End would be needed. The March 2025 Reg 19 consultation was therefore not the final version of the Plan as it is intended to be published. HBF note that if the March 2025 consultation had been presented as a consultation under Reg 18 (which is arguably was) the Council would not be able to benefit from the transitional arrangements and could not even attempt to make an argument that the Plan could provide for only 80% of the new standard method. In our view this adds further weight to our concerns about the failure of the plan to comply with the transitional arrangements in national policy.

The Dec 2024 NPPF therefore provides an important context on the wider Government's objectives around housing, which add further weight to the concerns we have raised about the failure of the East Devon Local Plan fully grasp the challenges of meeting the housing needs and proactively plan to do so. Back in March 2025, we suggested that the new requirements and the transitional arrangements underscored the need for changes to this Plan in relation to housing requirements and its monitoring. The Dec 2025 only adds to our concerns and underlines the direction of travel the Government is pursuing in order to deliver the target of 1.5 million new homes within this Parliament. In our view such changes are still needed in order for the plan to be found sound.

Figure One: Transitional Arrangements Flow Diagram - see attachment.

Back in March 2025, we asked the Council to fully consider the implications of the Dec 2024 NPPF and the intention of the transitional arrangements, and new standard method on this Plan. The Council appear to have not addressed the points we made. In HBF's view, the content of the Dec 2024 NPPF further underlines the importance of the Council taking efforts now to positively plan for the level of housing and infrastructure needed in East Devon, now, and not delay these decisions to sometime in the future. Indeed, the Dec 2025 NPPF further underlines this need. It is very clear from both the Dec 2024 NPPF and the Dec 2025 consultation that the Government intends for the housing needs of the nation to be met in full, and this was reflected in the transitional arrangements.

Observations about the Local Development Scheme and SCI:

The Council's Local Development Scheme was published in Feb 2025. It clearly shows two Reg 19 consultation being planned, one that would start before the March 12 deadline which would be able to utilise the transitional arrangements and one that will occur after and as such could not. HBF would continue to question that if the Council complies with its own LDS, which is a requirement of the planning regulations, can it also seek to proceed under the transitional arrangements.

In particular HBF note that page 4 of the March 2025 consultation document explained that "The plan in current draft form covers all local plan matters with the exception of full policy details on the new community proposals. Evidence work, as at early 2025, is ongoing in respect of the new community (see specifically Strategic Policy WS01 in this

plan) as well as on other interrelated local plan matters. Once this evidence work is completed, and policy gaps in the plan can be filled in, and further policy refinement undertaken, the second phase of consultation will take place." This suggests that the full East Devon Local Plan and all the necessary supporting documentation was simply not ready to go for publication consultation in March 25, and as such we would question if the Plan should be able to proceed under the transitional arrangements.

We would also question if it is correct to characterise this consultation as only being about the Marl-combe new community, as additional text and policy wording has been added to other parts of the Plan, including for example Policy AR02 which is now about both Water Quality and Water Efficiency.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: HBF would wish to appear at the Examination to ensure that the views of the development industry fare fully represented and feed into the production of this Plan.

3.14

Full name: Carole Crandon

Proposal:

3. The Spatial Strategy

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

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

3.14

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Chardstock is a small village with very limited access and an elderly population. Your proposal is to destroy green fields and increase the population by more than 10 percent. Infrastructure could not support this increase.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: A drastic reduction in the number of houses proposed and to situate them at the end of the village closest to the main road there is also the prospect of building where the George Inn sits which would save the destruction of Gree n fields.

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

4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Many residents presented comments at previous discussions, these have clearly been ignored as no modifications to the plan have been made. It appears to still be your intention to destroy the fabric of the village for financial gain.

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

3.21

Full name: Margaret Leppard

Proposal:

3. The Spatial Strategy

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

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

3.21

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Given the nostalgic haze exactly how will EDDC foster transformational sectors?

3.26

Full name: Margaret Leppard

Proposal:

3. The Spatial Strategy

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

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

3.26

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Nature of work is changing. How do you make these calculations? Is working from home included in housing section? I couldn't find any mention in the document.

3.28

Full name: Margaret Leppard

Proposal:

3. The Spatial Strategy

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

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

3.28

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

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

3.29

Full name: Margaret Leppard

Proposal:

3. The Spatial Strategy

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

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

3.29

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: I hope the council will fully address the creative tension that exists between 'self-containment' and welcoming, nurturing, change and personal growth that results from engagement with 'the other'.

3.44

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

3. The Spatial Strategy

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

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

3.44

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

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

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: This should be amended for clarity to the following wording: "Additional homes create the need for additional education provision including for early years and childcare, primary, secondary, post 16 and pupils with special educational needs and disabilities. There are also implications for home to school transport. This education impact of development must be fully mitigated by financial contributions in order for development to be acceptable in planning terms."

Full name: Margaret Leppard

Proposal:

3. The Spatial Strategy

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

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

3.44

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

Full name: Steve Havers

Organisation (where relevant): National Highways

Proposal:

3. The Spatial Strategy

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

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

3.44

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Additional supporting text at paragraph 3.43b recognises that a considerable amount of transport infrastructure will be required alongside housing and employment growth. We accept that wider (background) growth in traffic will contribute to infrastructure requirements, but we consider that the significant scale of planned development in the West End will equally bring forward the need for improvements. The additional paragraph concludes that development in East Devon and neighbouring authority areas will contribute to the delivery of transport infrastructure as appropriate, but it is likely that additional public funding will be necessary. 18. We welcome the additional commitment at paragraph 3.44b for the Council to work with infrastructure and service providers to ensure timely and effective infrastructure delivery. However, we highlight that additional work is needed to define the scope of required improvements and to demonstrate deliverability, and we draw attention to the following advice at paragraph 29 of the DfT Circular: “New connections and capacity enhancements to the SRN which are necessary to deliver strategic growth should be identified as part of the plan-making process, as this provides the best opportunity to consider the cumulative impacts of development (including planned growth in adjoining authorities) and to identify appropriate mechanisms for the delivery of strategic highway infrastructure. However, there cannot be any presumption that such infrastructure will be funded through a future RIS. The company will therefore work with local authorities in their strategic policy-making functions in identifying realistic alternative funding mechanisms, to include other public funding programmes and developer contribution strategies to be secured by a policy in a local plan or spatial development strategy.”

3.45

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

3. The Spatial Strategy

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

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

3.45

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

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

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: DCC welcomes the inclusion of this additional wording to highlight the critical nature of additional education infrastructure to support new housing development.

3.43b

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

3. The Spatial Strategy

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

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

3.43b

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

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

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: DCC welcomes the recognition that a significant amount of transport infrastructure will be required alongside housing and employment growth, and that development will be expected to contribute to the delivery of said infrastructure. DCC will continue to work with the district council to ensure development proposals incorporate and/or make appropriate contributions to the delivery of local and strategic transport infrastructure enhancements.

3.44, 3.45

Full name: William Cathery

Proposal:

3. The Spatial Strategy

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

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

3.44, 3.45

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The statements about infrastructure planning are vague. For example, for Exmouth_20, this is a huge 700 home site which is much closer to Budleigh Salterton than Exmouth and therefore will have a profound impact on Budleigh's primary school, GP surgery and sewerage networks, which are already struggling for capacity. This needs to be acknowledged.As above - I do not think sufficient thought has been given to the impact of Exmouth_20 on local infrastructure, particularly as it is designated as an Exmouth site when in reality it is significantly closer to Budleigh Salterton.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: It should be made clear that without commitments to upgrade the existing infrastructure (e.g. schools, GP surgeries, sewerage networks), assuming this is even possible, Exmouth_20 must not be allowed to proceed.

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

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

3.44b

Full name: Caroline Lewis

Organisation (where relevant): Lympstone Water Quality Group

Proposal:

3. The Spatial Strategy

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

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

3.44b

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

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

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.: Paragraph 3.44b refers to working with relevant infrastructure and service providers but does not include water and sewage providers.

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Paragraph 3.44b should include all infrastructure providers, not just the short list in this paragraph. It is essential that development is not carried out without ensuring that there is sufficient water and sewage infrastructure.

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

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: The spatial strategy must include sufficient involvement of water and sewage infrastructure providers to prevent pollution.

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

suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Include water and sewage infrastructure within the terms of paragraph 3.44b.

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

4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.: To meet the duty to do-operate the spatial strategy needs to include the requirement to work with the water and sewage infrastructure providers

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

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

3. The Spatial Strategy

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

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

3.44b

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

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: DCC welcomes this new supporting statement paragraph. DCC has a strong preference that county-related infrastructure is funded through Section 106 agreements as this provides greater certainty that sufficient funding is available for delivery of the necessary infrastructure at the appropriate time. This is particularly important for the provision of education and transport infrastructure. The Devon and Torbay Combined County Authority (DTCCA) will take on the role of Local Transport Authority from 1 April 2026, but DCC will continue to be the Local Highway Authority, meaning EDDC may need to work with both the DTCCA and DCC in relation to infrastructure requirements for new development.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: DCC therefore requests that a minor revision be made to the first sentence of paragraph 3.44b to state: “The Council will work with relevant infrastructure and service providers, including education, health, police, highway and transport authorities, to ensure timely and effective delivery of infrastructure.” DCC also requests that additional wording to include mention of transport and highways is added to the last sentence of paragraph 3.44b to state, “Where appropriate, planning obligations (s106) will be used to secure the provision and ongoing maintenance of infrastructure, particularly for education, transport, highways and health facilities.”

SP01

Full name: Sara Davies

Organisation (where relevant): Lympstone Water Quality Group

Proposal:

3. The Spatial Strategy

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

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

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

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

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.: The policy does not comply with the Environment Act or the NPPF for sustainable development. It does not refer to the findings of the Water Cycle Study or the Sustainability Appraisal, or consider the vulnerability of sites that are protected under the Habitats Regulations. Consequently, it will lead to unsustainable development in, for example, Exmouth, Lympstone, and Woodbury – because it will significantly impact the Exe Estuary. The Exe Estuary is both a European wildlife site (Special Protection Area) and a 'critical area' in the Water Cycle Study due to the high risk from nutrient loading.

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Ensure the spatial strategy reflects the requirements of the Habitats Regulations, and the findings and recommendations of the Water Cycle Study.

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: It does not take account of the findings and recommendations of the Water Cycle Study, or consider the vulnerability of sites that are protected under the Habitats Regulations (e.g., the Exe Estuary). There is no evidence in the 'Evidence Library' to indicate that a catchment-

based risk assessment has been completed (considering pollution hazards, pathways, and the sensitivity of the receiving water bodies.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Ensure the spatial strategy reflects the requirements of the Habitats Regulations, and the findings and recommendations of the Water Cycle Study. Consider the catchment-based approach when determining the spatial strategy.

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

4(a). If yes, and you wish to support this part of the Spatial Strategy chapter's compliance with the duty to co-operate, please use this box to set out your comments.: The above demonstrate that EDDC has failed in its duty to cooperate.

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

Full name: Philip Wragg

Organisation (where relevant): Sid Vale Association

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Strategic Policy SP01: Spatial Strategy We contest the assertion that directing 'significant development' toward Sidmouth aligns with the goal of sustainable distribution. Under the NPPF, development within a National Landscape must be limited in scale and extent to conserve its landscape and scenic beauty. We contend that Sidmouth's spatial strategy should be restricted to meeting locally identified needs rather than absorbing wider regional growth. The 'significant development' proposed threatens the unique character and 'sense of place' of the Sid Valley-factors which are intrinsic to the local tourism economy.

lrreversible harm to this sensitive visual and environmental asset would undermine the economic objectives of the Plan.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Consequently, we advocate for a 'brownfield-first' approach, prioritizing the intensification of existing built-up areas and the subdivision of oversized residential dwellings into affordable units, which offers a more sustainable pathway for housing delivery without encroaching on protected landscapes

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

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

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

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Strategic Policy SP01: Spatial Strategy We contest the assertion that directing 'significant development' toward Sidmouth aligns with the goal of sustainable distribution. Under the NPPF, development within a National Landscape must be limited in scale and extent to conserve its landscape and scenic beauty. We contend that Sidmouth's spatial strategy should be restricted to meeting locally identified needs rather than absorbing wider regional growth. The 'significant development' proposed threatens the unique character and 'sense of place' of the Sid Valley-factors which are intrinsic to the local tourism economy.

lrreversible harm to this sensitive visual and environmental asset would undermine the economic objectives of the Plan.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Consequently, we advocate for a 'brownfield-first' approach, prioritizing the intensification of existing built-up areas and the subdivision of oversized residential dwellings into affordable units, which offers a more sustainable pathway for housing delivery without encroaching on protected landscapes

Full name: Philip Wragg

Organisation (where relevant): Sid Vale Association

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: We contest the assertion that directing 'significant development' toward Sidmouth aligns with the goal of sustainable distribution. Under the NPPF, development within a National Landscape must be limited in scale and extent to conserve its landscape and scenic beauty. We contend that Sidmouth's spatial strategy should be restricted to meeting locally identified needs rather than absorbing wider regional growth. The 'significant development' proposed threatens the unique character and 'sense of place' of the Sid Valley—factors which are intrinsic to the local tourism economy. Irreversible harm to this sensitive visual and environmental asset would undermine the economic objectives of the Plan.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Consequently, we advocate for a 'brownfield-first' approach, prioritizing the intensification of existing built-up areas and the subdivision of oversized residential dwellings into affordable units, which offers a more sustainable pathway for housing delivery without encroaching on protected landscapes.

Full name: Dan Rogers

Organisation (where relevant): Bell Cornwell

Other party name (if relevant): Combe Estate

Proposal:

3. The Spatial Strategy

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

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

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

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

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: COMBE ESTATE REPRESENTATIONS ON THE EAST DEVON LOCAL PLAN (2020 – 2042) REGULATION 19 CONSULTATION DRAFT (MARCH 2025) BY BELL CORNWELL LLP 1 INTRODUCTION Combe Estate are long standing generational owner of large areas of agricultural and forestry land within East Devon. Their land interests are primarily in Honiton and Gittisham. As part of its interests, the Estate undertakes residential and commercial development and are the owners of Combe Garden Centre. The Estate therefore has a wide range of land and business interests within the district. The Estate has provided representations to the Council as part of previous consultations on the draft local plan and via the related call for sites process. Given the nature of their long-standing presence in the district, The Estate is an important local stakeholder with allocation interests within the proposals in the East Devon Local Plan for future development in the district. Against this background, Bell Cornwell LLP has reviewed the policies and information set out in the East Devon Local Plan (2020 -2042) Regulation 19 Consultation Draft and makes the following representations. CHAPTER 3. THE SPATIAL STRATEGY Strategic Policy SP01: Spatial Strategy Combe Estate supports the overall approach of Strategic Policy SP01: Spatial Strategy and, in particular, the support for prioritising significant development at the Main Centres (including Honiton) that meets local needs and those in immediate surrounding areas. The general strategy approach, which will see development allocations delivered at 5 different tiers of settlement in a dispersed approach to growth, is entirely appropriate and a sensible route to take. As main centre, Honiton (with its existing services, facilities and public transport infrastructure) is well placed to take significant but proportionate much needed growth, and securing this growth across a wide spread of settlements is the most appropriate strategy for the district. One of the failings of the current Local Plan (and part of the

reason why the LPA have suffered from a lack of 5 year housing land supply in recent years) is due to the current strategy that sees the vast majority of delivery in a single location (e.g. Cranbrook) and in a new town which takes significant time to deliver. COMBE ESTATE REPRESENTATIONS ON THE EAST DEVON LOCAL PLAN (2020 – 2042) REGULATION 19 CONSULTATION DRAFT (MARCH 2025) BY BELL CORNWELL LLP 2 In our view, the current local plan did not focus sufficiently on existing towns and villages and an approach that looks to re-engage and deliver development at all tiers of settlement should be welcomed. Honiton can make a meaningful contribution to the district's overall housing land supply and growth of this type would also have the advantage of diversifying supply, meeting local needs and supporting rural facilities. Equally for employment development, sufficient provision must be made in the new local plan to support economic development right across the district so that growth is not stifled or lost to locations outside of East Devon. It is important to ensure that the new local plan can deliver sufficient supply to allow for choice and flexibility in the local market. The ability to deliver employment and housing in main centre locations is a positive approach which will ensure the districts housing and employment needs are catered for.

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): 3West Developments Ltd

Proposal:

3. The Spatial Strategy

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

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: These representations have been prepared by Boyer on behalf of 3West Developments, in response to the East Devon District Council (EDDC) Local Plan (Regulation 19, stage 2) Consultation Document (hereafter referred to as the "Draft LP").

1.2 3West Developments have positively engaged in past Local Plan consultations, with representations for Land at St Johns ('the Site') previously been submitted by Collier Planning as part of the first stage of the Regulation 19 Consultation undertaken in March 2025.

1.3 This second stage of the Regulation 19 consultation uses a 'tracked changes' document, highlighting differences from the first version; these representations focus on the changes and thus should be read alongside the Phase 1 submissions made in March 2025. Land at St Johns (Exmo_20)

1.4 Land at St Johns is located north-west of Exmouth, which extends to approximately 85.46 hectares. The Site is sustainably located and has capacity for up to 700 high quality homes, offering a Site that can significantly benefit the Council in terms of housing land supply.

1.5 The site is identified as a draft allocation within East Devon's Regulation 19 Consultation Document (Exmo_20), to accommodate:

• Social and community facilities;

• Around 700 new homes; and

• At least 2 hectares of employment land.

1.6 3West Developments wholly supports the allocation of Land at St Johns (Exmo_20) as set out in the Regulation 19 Publication Draft and can confirm that the site is suitable, available and deliverable.

1.7 The Site represents a highly sustainable, landscape-led opportunity on the edge of Exmouth to create a distinctive contemporary 'woodland village'. The proposals are founded on a masterplan that works with existing topography, woodlands and hedgerows to deliver a wellconnected, walkable neighbourhood focused on a strong community core, generous green infrastructure and excellent active travel links. The development will provide a well-integrated, self-contained extension to the town that promotes healthy lifestyles, a sense of belonging and a positive transition between the urban area and the surrounding landscape. A Site Location Plan is included within Appendix 1 of these representations. Test of Soundness

1.8 These representations respond to the relevant Draft Local Plan policies, having regard to the tests of soundness set out in the National Planning Policy Framework (NPPF, December 2023). For the avoidance of doubt, these tests apply in the context of the Draft Local Plan benefitting from the NPPF transitional arrangements. In this regard, the Plan must be: a. Positively prepared; b. Justified; c. Effective; and d. Consistent with national policy.

Policy SP01: Spatial Strategy

2.2 Strategic Policy SP01 confirms that new development will be directed towards the most sustainable locations in East Devon, with the most sustainable location identified as the West End of the District, followed by the Principal Centre of Exmouth and the Main Centres of Axminster, Honiton, Ottery St Mary, Seaton and Sidmouth.

2.3 3West support the identification of Exmouth as a Principal Centre. This appropriately recognises that Exmouth is the largest town in East Devon and provides the greatest concentration and range of services, facilities and employment opportunities within the district. It is appropriate and entirely justified therefore that the plan identifies Exmouth as a higher tier settlement than the other towns.

2.4 We also support the overall settlement hierarchy set out within Strategic Policy SP01 and agree that it accords with a fundamental principle of the National Planning Policy Framework (2023), namely directing housing growth towards the most sustainable locations.

2.5 However, 3West are disappointed to see a continued lack of any meaningful uplift in housing provision directed towards Exmouth. At only approximately 11% of the overall housing requirement, the level of growth apportioned to Exmouth is lower than might reasonably be expected for the district's largest and most sustainable settlement. This is particularly the case when Exmouth's role, accessibility and service provision are considered in the context of the spatial strategy as a whole.

2.6 We note the addition of the following text to the policy justification: 'In the event of housing not being delivered in accordance with the plan and/or the identified need for new homes changing in the future, including taking account of possible unmet needs in neighbouring areas, the requirements of national policy and legislation for a review/update of the plan will be followed.'

2.7 Whilst acknowledgement of the need for future review is supported, this recognition would have been more meaningful if accompanied by a greater uplift in housing provision directed to a settlement which is already identified as highly sustainable and well suited to accommodating additional growth.

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

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

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

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Vistry Group

Proposal:

3. The Spatial Strategy

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

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

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

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

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: Strategic Policy SP01: Spatial Strategy

2.2

2.3 Vistry continue to support the principle of SP01. As detailed in previous written representations, to ensure that the Draft LP is positively prepared we consider that the identification of land at Addlepool Farm as an allocation, alongside the existing allocation of a new town at Marlcombe, would provide the Council with greater assurance that the Plan was capable of delivering its housing requirement, particularly in the inevitable event that housing delivery within the new town is delayed.

Full name: Samantha Thomas

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): Taylor Wimpey

Proposal:

3. The Spatial Strategy

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Viability It is noted that financial implications of the Building Safety Level are now addressed in the Viability Addendum (VA). However, the VA retains 6% for professional fees for larger sites on the basis that: “The allowances for professional fees are within the ranges of viability assessments found sound at EiP, including locally as part of the Cranbrook Plan DPD and the Teignbridge Local Plan.” www.carneysweeney.co.uk CARNEYSWEENEY.CO.UK BIRMINGHAM I CARDIFF I EXETER I LONDON We reiterate our view that 6% for professional fees is not an appropriate figure for larger sites and is not supported by RICS valuation guidance. This is closer to 8% - 10%, so this should be reflected in the Viability Addendum.

Full name: Samantha Thomas

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): Taylor Wimpey

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: We support the spatial strategy contained within Policy SP01 which identifies Kilmington as a Service Village where the Draft Plan seeks to allow limited development. This is reflective of the amenities available within Kilmington which are located in proximity to the site. However, only two allocations are proposed for the settlement set to deliver 28 new homes in total over the plan period. East Devon Strategic Planning Committee decided not to allocate the site at the meeting dated 20th September 2024. The Report, prepared by Officers in advance of the meeting, proposed not to allocate the site due to development likely having "significant landscape impact". This assertion of significant landscape impact is not justified and ignores the Council's own site assessment carried out in preparation of the Report. The Council contends that the site has a very high landscape value but a low to medium visibility due to mature trees at its boundary. The Council has also failed to recognise the extant planning permission on the site which not only secures the principle of residential development but also contains written commentary from the Council within the Officer Report that the landscape impact would largely be negligible with some moderate adverse impacts from Silver Street. As such, the Council failed to appropriately justify the decision to omit Kilm_05 as a draft allocation in the Local Plan.

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

Full name: Chris Dadds

Organisation (where relevant): JLL

Other party name (if relevant): Charles Kislingbury for L Askew, S Askew, K Askew

Proposal:

3. The Spatial Strategy

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

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

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

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: Policy SP01 Spatial Strategy The NPPF (paragraph 20) requires strategic policies to set out an overall strategy for place-making, focusing significant development on sustainable locations that reduce travel needs and offer transport choices. Draft policy SP01 sets out the proposed spatial strategy which directs new development towards the most sustainable locations in East Devon. The proposed strategy directs new development towards the West End of the district, comprising a further new community, ongoing development of Cranbook and other strategic developments. The 'West End' comprises a highly sustainable area that has seen significant development since 2010, with substantial residential growth, employment opportunities, and strong functional links to Exeter. This zone offers extensive infrastructure, proximity to urban services, and efficient transport connections, making it a prime location for strategic and new development. The draft Local Plan therefore promotes a sustainable pattern of development that aligns growth with infrastructure. Our client supports East Devon District Council's approach to the spatial strategy which focuses new development at the West End of the district, as soundly based in evidence and in accordance with national planning policy and guidance.

Full name: Chris Dadds

Organisation (where relevant): JLL

Other party name (if relevant): Charles Kislingbury for L Askew, S Askew, K Askew

Proposal:

3. The Spatial Strategy

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

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

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

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

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: The plan continues to focus growth at the West End, which is an approach that our client continues to support.

Full name: Chris Dadds

Organisation (where relevant): JLL

Other party name (if relevant): Charles Kislingbury for L Askew, S Askew, K Askew

Proposal:

3. The Spatial Strategy

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

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

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

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

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: The NPPF (paragraph 20) requires strategic policies to set out an overall strategy for place-making, focusing significant development on sustainable locations that reduce travel needs and offer transport choices. Draft policy SP01 sets out the proposed spatial strategy which directs new development towards the most sustainable locations in East Devon. The proposed strategy directs new development towards the West End of the district, comprising a further new community, ongoing development of Cranbook and other strategic developments. The 'West End' comprises a highly sustainable area that has seen significant development since 2010, with substantial residential growth, employment opportunities, and strong functional links to Exeter. This zone offers extensive infrastructure, proximity to urban services, and efficient transport connections, making it a prime location for strategic and new development. The draft Local Plan therefore promotes a sustainable pattern of development that aligns growth with infrastructure. Our client supports East Devon District Council's approach to the spatial strategy which focuses new development at the West End of the district as soundly based in accordance with national planning policy and guidance.

Full name: Zoe Mason

Organisation (where relevant): Lichfields

Other party name (if relevant): Mr M and Mr R Nanciekivell

Proposal:

3. The Spatial Strategy

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

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

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

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: Notwithstanding the above significant issues with housing numbers, the general spatial strategy set out at Strategic Policy SP01 is supported in so far as development is directed to the West End (Cranbrook / new community), the Principal Centre of Exmouth and then the Main Centres, which include Ottery St Mary.

2.25?? The Landowner is supportive of the recognition that Ottery St Mary can take 'significant development' to serve its own need as well as that of the wider area, given it is a settlement "…with strategic and local facilities that serve both their immediate area and surrounding communities, offering a balanced mix of jobs, services, and growth potential" (Draft Plan para. 3.4).

2.26?? In this context, the focus should remain on these settlements to accommodate the additional housing numbers required over the Plan period, looking to the Principal and Main Centres first for additional and/or expanded allocations to accommodate need, before looking at the Local Centres and Service Villages. Ottery St Mary is a highly sustainable settlement and we support it as a geographic focus for significant development.

Full name: Neil Mantell

Organisation (where relevant): LRM Planning

Other party name (if relevant): The Cherwell Group

Proposal:

3. The Spatial Strategy

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

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

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

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

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: The spatial strategy (Strategic Policy SP01) and the distribution of development – Support

4.1 The following section of this representation considers the proposed spatial strategy and the distribution of development proposed within the consultation version of the Local Plan. Each topic is considered in turn below. THE SP ATIA L STR AT EGY

4.2 The Local Plan Review's proposed spatial strategy is set out within Strategic Policy SP01 and its supporting text. The strategy seeks to direct new development to the most sustainable locations within the District. The Policy indicates that development will be focused at the West End of the District in the first instance, including a further new community, on-going development at Cranbrook and other strategic development close to Exeter. Significant development is then planned at the Principal Centre of Exmouth and the five other Main Centres, with development that meets local needs being supported at five Local Centres. Limited development is proposed at 23 Service Villages.

4.3 A strategy that seeks to focus strategic development in East Devon's West End in the first instance, represents a continuation of the spatial strategy used in the 2016 Local Plan. It responds to the District's constraints and opportunities and those found within neighbouring areas.

4.4 In terms of constraints, there are three National Landscapes that are located within East Devon (the East Devon National Landscape, the Blackdown Hills National Landscape and a small extent of the Dorset National Landscape), which cover approximately two-thirds of the District. The designations cover most of the southern, south eastern, eastern and northern areas of East Devon.

4.5 Given the availability of land to accommodate housing outside of these designations and in other areas of the District, major development within the three National Landscapes is likely to conflict with national planning policy4.

4.6 In terms of opportunities, the central and western areas of the District are also located in close proximity to the city of Exeter. A strategy which focuses growth in the western area of East Devon therefore ensures that new homes are provided in close proximity to the services, facilities, employment opportunities and infrastructure provided within Exeter city centre and those found within its more peripheral locations close to East Devon, including Sowton Industrial Estate. As this strategy has been one that has been employed within East Devon for a number of years, there are a number of strategic developments in the western portion of East Devon that now supplement the services, facilities, employment opportunities and infrastructure found within Exeter.

4.7 Given the above, the proposed spatial strategy will ensure that homes are provided closest to where most jobs are likely to arise, where there is the greatest potential to secure increased active and sustainable transport investment and usage, and where there exists the greatest range of services and facilities. Given these characteristics, it will result in a pattern of development which limits the need to travel and provides for a genuine choice of transport modes. In turn, this will help to reduce greenhouse gas emissions and improve air quality and public health. 4 Para. 182 of the NPPF. SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 16

4.8 A concentration of development within the West End of East Devon also responds to market demand; there remains strong developer and market interest for residential development in the western portion of East Devon.

4.9 As stated above, the proposed spatial strategy is a continuation of the spatial strategy contained within the 2016 Local Plan. It was subject of Independent Examination in 2014 and 20155 and was found to be a sound proposition. It is based on the principles of sustainable development, including those contained within the NPPF (including the then paras. 14 and 30).

4.10 It follows that the spatial strategy is strongly supported by the Cherwell Group. Evidence base

4.11 The proposed spatial strategy also provides a suitable response to addressing climate change. Research undertaken by the University of Exeter (Document CCF-012) has demonstrated that “location is the single most important factor in determining potential emissions arising from new development.”

4.12 The work concluded that in general terms, transport related emissions were lower when development was located closer to existing major urban areas. Indeed, the work indicated that the location of development and the range of sustainable transport

options available to residents would, on average, result in a greater carbon emission reduction than requiring all new dwellings to be constructed to 'zero carbon' for regulated emissions.

4.13 Consequently, a strategy that focuses development in the western portion of the District, in close proximity to Exeter City and existing developments on the western edge of East Devon, will, with additional sustainable transport measures, result in lower carbon emissions than alternative strategies. It also provides a strong fit with Objective 2 of the Plan (Tackling the climate emergency). Sustainability Appraisal

4.14 As indicated above, the proposed spatial strategy seeks, in general terms, to continue to follow that set out in the adopted Local Plan, which itself was prepared in the context of the 2012 version of the NPPF. Consequently, at Examination, it would have been necessary for the Local Planning Authority to demonstrate that it was "the most appropriate strategy, when considered against reasonable alternatives…6"

4.15 It follows that unless there has been a material change in circumstance since the Inspector's Report was published in January 2016, the proposed spatial strategy should again be considered as being appropriate (noting that for the emerging Plan to be justified and therefore a sound proposition, the 2023 version of the NPPF only requires the Local Plan to promote "an appropriate strategy," rather than "the most appropriate strategy" in the 2012 version of the NPPF).

4.16 The Cherwell Group is not aware of any material considerations that would suggest that a more appropriate spatial strategy should be adopted.

4.17 Indeed, the Sustainability Appraisal (Document CSD-003(rev)) published alongside the consultation version of the Local Plan continues to suggest that the proposed spatial strategy is preferred as it: "…promotes development at existing settlements where there is a range of jobs, services, and facilities; whilst also focussing development where there is good connectivity in close proximity to a much wider range of jobs, services, and facilities in the West End and Exeter. The scale of 5 Please refer to para. 22 of the Inspector's Report, January 2016. 6 Para. 182 of the 2012 version of the NPPF SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 17 development proposed in the new town offers the greatest potential for a mix of uses, reducing the need to travel and providing opportunities sustainable travel links, which provides better accessibility and reduced carbon emissions (sic)7." THE D I STRI BU TI O N OF D EVEL OPMEN T The West End

4.18 As set out above, the emerging Plan's spatial strategy seeks a continuation of the spatial strategy adopted in the 2016 Local Plan, which, in the first instance, focused development within East Devon's West End. For the reasons set out above, this strategy continues to be appropriate.

4.19 Excluding windfall provision, Strategy 2 of the adopted East Devon Local Plan seeks to focus 10,563 dwellings out of the 16,393 dwellings planned for, in the West End. This equates to approximately 64% of the planned provision.

4.20 The Regulation 19 Local Plan Sustainability Appraisal (CSD-003(rev)) confirms that the preferred option for the distribution of development is Option E, which, whilst continuing to focus development within the West End, would do so at a reduced level of 55% (11,600 dwellings).

4.21 Whilst the current Local Plan sought to focus nearly two-thirds of provision within the West End, this level of provision has not materialised. Table 3 of the Council's latest Housing Monitoring Update (Document HOU-004(rev)c) confirms that 5,325 homes have been constructed in the West End in the period April 2013 to March 2025. This represents a shortfall of around 1,719 homes against the annualised requirement for the West End of 587 homes per annum. Over that same period, just under 50% of the District's total housing completions have occurred within the West End.

4.22 Moreover, the Monitoring Report forecasts again that there will be a shortfall in delivery within the West End against the distribution set out in Strategy 2 of the adopted Local Plan by the end of the plan period. Around 43% of forecast completions are to occur in the West End (6,742 dwellings are forecast to be completed in the West End, against total forecast completions of 15,667 homes). Whilst, prima facie, it could be argued that a lower housing apportionment should be afforded to the West End, it is noted that only around 25% of the overall anticipated delivery from the Cranbrook Expansion Areas is forecast to occur by the end of the plan period. Consequently, the majority of delivery from the Expansion Areas is likely to occur outside the plan period. The Local Planning Authority attributes the shortfall in the West End to the delay in the adoption of the Cranbrook Plan.

4.23 However, it does suggest that the Local Planning Authority is correct to place less reliance on the West End in meeting objectively assessed needs, for such a focus is unlikely to be deliverable or effective. Consequently, there is a need, in order for the Plan to be both deliverable and effective, for a reduced focus within the West End, but to a level that does not undermine the achievement of the benefits of adopting such a strategy, as set out in the Sustainability Appraisal. The preferred distribution of development as set out in the Sustainability Appraisal strikes this appropriate balance.

4.24 Across the plan period, it would result in an average annual delivery rate for the West End of 527 homes, which is a rate of delivery that has been achieved in the West End before, suggesting that it is both a deliverable and an effective proposition. 7 Page

Full name: Neil Mantell

Organisation (where relevant): LRM Planning

Other party name (if relevant): David Wilson Homes

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: PLAN PERIOD – MODIFICATION REQUIRED ? They consider, with the plan-making stages left, that the Local Plan will unlikely be Adopted on or before 31st March 2027. If work on the preparation of the Local Plan extends beyond 31st March 2027, there will be an insufficient period after the adoption of the Plan and the proposed end of the Plan period to meet the requirements of para. 22 of the NPPF. Consequently, it is likely that the Plan period will need to be extended by at least one year to 2043. This will require the identification of additional land for housing. SPATIAL STRATEGY AND THE DISTRIBUTION OF DEVELOPMENT - MODIFICATION REQUIRED ? Whilst DWH is generally supportive of the Plan's proposed spatial strategy, which focuses growth in the West End, they consider that Whimple should be afforded a greater role in the Plan's spatial strategy. The settlement has a similar level of services and facilities as Tier 3 settlements and demonstrably more than larger Tier 4 settlements. It also benefits from strong active and sustainable transport connections with the West End (which is located only 1km to the west). These active and sustainable transport connections are also to improve over the plan period. Therefore, it is an unjustified proposition to identify Whimple as a Tier 4 settlement. It would be more justified to uplift its status to a Tier 3 settlement. ? With an increase in its status, Whimple should be afforded a greater role in meeting the District's unmet housing needs. A greater focus of development at Whimple would also accord with the Plan's wider spatial strategy, which seeks to focus development in the West End, which is only 1km to the west.

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The spatial strategy and the distribution of development – Object INTRODUCTION 5.1 The following section of this representation considers the proposed spatial strategy and the distribution of development proposed within the consultation version of the Local Plan. Each topic is considered in turn below. 5.2 The work demonstrates that Whimple has a not dissimilar level of services and facilities to other Tier 3 settlements and a greater level of services and facilities than other larger Tier 4 settlements. It also benefits from having active and sustainable transport connections to the services, facilities and employment opportunities found within the West End (which is only 1km to the west) and Exeter. Consequently, it is not a justified proposition to retain Whimple as a Tier 4 settlement. Such an approach is unsound. It would be a more justified approach to enhance its role to a Tier 3 settlement. 5.3 Moreover, it would also, with the commensurate increase in the quantum of housing that would be focused at Whimple resulting from the increase in its role and function, help to address DWH concerns that Whimple is afforded a disproportionately lower level of housing in comparison to other Tier 3 and 4 settlements, which is again unjustified and unsound. Having regard to Whimple's services and facilities in comparison to other Tier 3 and 4 settlements, DWH considers that it could accommodate a greater level of housing than is currently proposed. An increase in housing at the settlement, above that proposed within the Local Plan, would therefore be justified. It would also broadly accord with the emerging Plan's spatial strategy, which seeks to focus development within the West End in the first instance. The West End, which is located only 1km to the west of Whimple, is connected to the settlement by strategically important active and sustainable transport connections. THE SPATIAL STRATEGY 5.4 The Local Plan Review's proposed spatial strategy is set out within Strategic Policy SP01 and its supporting text. The strategy seeks to direct new development to the most sustainable and least constrained locations within the

District. The Policy indicates that development will be focused at the West End of the District in the first instance, including a further new community, on-going development at Cranbrook and other strategic development close to Exeter. Significant development is then planned at the Principal Centre of Exmouth and the five other Main Centres, with development that meets local needs being supported at five Local Centres. Limited development is proposed at 23 Service Villages. 5.5 A strategy that seeks to focus strategic development in East Devon's West End in the first instance, represents a continuation of the spatial strategy used in the 2016 Local Plan. It responds to the District's constraints and opportunities and those found within neighbouring areas. 5.6 In terms of constraints, there are three National Landscapes that are located within East Devon (the East Devon National Landscape, the Blackdown Hills National Landscape and a small extent of the Dorset National Landscape), which cover approximately two-thirds of the District. The designations cover most of the southern, south eastern, eastern and northern areas of East Devon. SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 17 5.7 Given the availability of land to accommodate housing outside of these designations and in other areas of the District, major development within the three National Landscapes is likely to conflict with national planning policy5 . 5.8 In terms of opportunities, the central and western areas of the District are also located in close proximity to the city of Exeter. A strategy which focuses growth in the western area of East Devon therefore ensures that new homes are provided in close proximity to the services, facilities, employment opportunities and infrastructure provided within Exeter city centre and those found within its more peripheral locations close to East Devon, including Sowton Industrial Estate. As this strategy has been one that has been employed within East Devon for a number of years, there are a number of strategic developments in the western portion of East Devon that now supplement the services, facilities, employment opportunities and infrastructure found within Exeter. 5.9 Given the above, the proposed spatial strategy will ensure that homes are provided closest to where most jobs are likely to arise, where there is the greatest potential to secure increased active and sustainable transport investment and usage, and where there exists the greatest range of services and facilities. Given these characteristics, it will result in a pattern of development which limits the need to travel and provides for a genuine choice of transport modes. In turn, this will help to reduce greenhouse gas emissions and improve air quality and public health. 5.10 A concentration of development within the West End of East Devon also responds to market demand; there remains strong developer and market interest for residential development in the western portion of East Devon. 5.11 As stated above, the proposed spatial strategy is a continuation of the spatial strategy contained within the 2016 Local Plan. It was subject of Independent Examination in 2014 and 20156 and was found to be a sound proposition. It is based on the principles of sustainable development, including those contained within the NPPF (including the then paras. 14 and 30). 5.12 Notwithstanding the above, whilst DWH are supportive of a strategy that focuses

development at East Devon's West End in the first instance, it should not be at the detriment of providing a suitable level of housing in other towns and villages within the District. Whilst there is not a requirement for a spatial strategy to respond to development needs at a settlement level, each settlement will have its own needs. This was a matter which was considered by the Inspector of the current Local Plan7 . In general terms, the spatial strategy does provide the opportunity for each settlement to meet its own needs. 5.13 However, DWH is aware of a number of settlements that are located in the western portion of the District, which are largely unaffected by environmental designations, have a good range of services and facilities, and benefit from strong active and sustainable transport connections. They are also located in close proximity to the services, facilities and employment opportunities found within the western portion of East Devon. Such settlements are capable of having a greater role within the spatial strategy and, in a manner that is broadly consistent with it, could accommodate greater levels of development. Further development in such locations would also help to sustain and enhance the essential services and facilities found in such locations, that service both the settlement and its rural hinterland. 5.14 Whimple, for instance, has, as identified in the Role and Function of Settlements evidence base document (Document KSD-011), relative to its size, a good range of services and facilities, including a 5 Para. 182 of the NPPF. 6 Please refer to para. 22 of the Inspector's Report, January 2016. 7 Para. 26 of the Inspector's Report, January 2016. SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 18 primary school; a railway station; a convenience store/shop; a post office; a doctor's surgery; a community hall; two public houses; allotments; sports provision and children's play facilities. 5.15 As stated in Section 2 above, being located approximately 1km to the east of the eastern edge of the Cobdens development, it is in a comfortable active travel distance of the services, facilities and employment opportunities found within Cranbrook (which are due to be enhanced through the development of the Expansion Areas) and those to the west. Improvements to the active travel facilities along London Road have been secured through the developments within the Cranbrook Expansion Areas and further improvements are proposed through the Clyst Valley and new communities Local Cycling and Walking Infrastructure Plan. 5.16 In addition, Whimple also benefits from having its own railway station, which is located on the strategically important West of England Railway Line. Presently, a total of 12 services a day operate in a westerly direction and 14 to the east, to a range of destinations, including Cranbrook, Pinhoe, Exeter Central and Exeter St Davids to the west and Axminster, Honiton, Crewkerne, Yeovil, Salisbury, Basingstoke and London to the east. Service enhancements are proposed on the Line, with it forming part of the Devon Metro (see project TRA-1 of Document KSD-001). Whimple is therefore sustainably connected to the services, facilities and employment opportunities found within higher tier settlements located to the east and west. 5.17 Its range of existing services and facilities and its proximity and active and sustainable connections to higher tier

settlements, particularly to the west, means that it is a considerably more sustainable location to accommodate development than other Tier 3 and 4 settlements. The services and facilities found within Whimple in comparison to other settlements Whimple in comparison to Tier 3 Local Centres 5.18 Evidence provided within the Role and Function of Settlements Report (Document KSD-011) demonstrates the services and facilities within Whimple are not of a dissimilar level to those found within a number of Tier 3 Local Centres, including Woodbury (please see the comparison provided at Appendix 4). 5.19 Comparing Whimple and Woodbury, other than having a greater retail provision, the services and facilities on offer in Woodbury mirror those found within Whimple. Whilst the bus services are more regular in Woodbury, importantly, unlike Whimple, it does not have a railway station. Both have a broadly comparable employment density. 5.20 Given the similarities in the levels of services and facilities between Whimple and other proposed Local Centres, consideration should be given to uplifting Whimple's status in the settlement hierarchy to a Local Centre. Such an approach, which would be justified based on the evidence underpinning the Plan, would provide a better fit with the services and facilities found within the settlement. A greater role for Whimple in meeting needs would also help ensure that its services and facilities would be protected and enhanced, whilst also acknowledging its geographic relationship with the strategic developments found within the West End and Exeter, which are accessible by active and sustainable forms of travel. Whimple in comparison to other Tier 4 Service Villages 5.21 A comparison between Whimple and other Tier 4 Service Villages is also provided at Appendix 4. Summarily, it confirms that: ? Feniton – Feniton has a more limited range of services and facilities than Whimple, including not having a post office, a GP and one less public house; ? Newton Poppleford – whilst Newton Poppleford has a better bus service, Whimple benefits from a train station and a GP. Consequently, Whimple has a greater range of community facilities; and SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 19 ? West Hill - whilst West Hill has a better bus service and a modestly better retail provision, Whimple has a train station, a GP, two public houses and allotments over the services and facilities found within West Hill. Consequently, Whimple has a greater range of community facilities. 5.22 Moreover, Whimple has a train station, a primary school and two public houses over the provision in Dunkeswell, although it is acknowledged that Dunkeswell has one more shop. 5.23 It can therefore be seen that Whimple has a greater range of community facilities than the larger Tier 4 settlements identified in emerging Policy SP01. It also demonstrates that relative to its size, it has a good range of services and facilities. 5.24 Having regard to the population of other Tier 3 and 4 settlements and the range of services and facilities found within them, Whimple is capable of supporting a larger population. EVIDENCE BASE 5.25 The proposed spatial strategy also provides a suitable response to addressing climate change. Research undertaken by the University of Exeter (Document CCF-012) has demonstrated that "location is the single most important factor in determining potential emissions arising from new development."

5.26 The work concluded that in general terms, transport related emissions were lower when development was located closer to existing major urban areas. Indeed, the work indicated that the location of development and the range of sustainable transport options available to residents would, on average, result in a greater carbon emission reduction than requiring all new dwellings to be constructed to 'zero carbon' for regulated emissions. 5.27 Consequently, a strategy that focuses development in the western portion of the District, in close proximity to Exeter city and existing developments on the western edge of East Devon, will, with additional sustainable transport measures, result in lower carbon emissions, than alternative strategies. It also provides a strong fit with Objective 2 of the Plan (Tackling the climate emergency). 5.28 As has been demonstrated, whilst Whimple is, relative to its size, a sustainable settlement in its own right, it is also located in the western portion of East Devon and in close proximity to strategic services, facilities and employment opportunities. Its significant active and sustainable transport offer ensures that it is not an unsustainable, isolated, dormitory settlement. Indeed, if an enhanced role were afforded to Whimple in the settlement hierarchy and in accommodating the District's needs, it would provide a strong fit with the University of Exeter's work, as development would be located in close proximity to major urban areas and at a location with a range of sustainable transport options. 5.29 The rigid application of the settlement hierarchy set out in Policy SP01 could potentially underplay the role that sustainable settlements such as Whimple could have in meeting needs; by ignoring its proximity to the developments within the West End, it does not afford it any more of a benefit than if the settlement was located in an isolated area within the eastern portion of the District. SUSTAINABILITY APPRAISAL 5.30 As indicated above, the proposed spatial strategy seeks, in general terms, to continue to follow that set out in the adopted Local Plan, which itself was prepared in the context of the 2012 version of the NPPF. Consequently, at Examination, it would have been necessary for the Local Planning Authority SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 20 to demonstrate that it was "the most appropriate strategy, when considered against reasonable alternatives…8 " 5.31 It follows that unless there has been a material change in circumstance since the Inspector's Report was published in January 2016, the proposed spatial strategy should again be considered as being appropriate (noting that for the emerging Plan to be justified and therefore a sound proposition, the 2023 version of the NPPF only requires the Local Plan to promote "an appropriate strategy," rather than "the most appropriate strategy" in the 2012 version of the NPPF). 5.32 At a macro level, DWH is not aware of any material considerations that would suggest that a more appropriate spatial strategy should be adopted. 5.33 Indeed, the Sustainability Appraisal (Document CSD-003(rev)) published alongside the consultation version of the Local Plan continues to suggest that the proposed spatial strategy is preferred as it: "…promotes development at existing settlements where there is a range of jobs, services, and facilities; whilst also focussing development where there is good connectivity in close proximity to a much wider range

of jobs, services, and facilities in the West End and Exeter. The scale of development proposed in the new town offers the greatest potential for a mix of uses, reducing the need to travel and providing opportunities sustainable travel links, which provides better accessibility and reduced carbon emissions (sic)9 .” 5.34 However, for the reasons set out above, DWH considers that there is a strong case for Whimple to be afforded a greater role in the spatial strategy, as a Tier 3 Local Centre. Indeed, as has been demonstrated, it has a comparable level of services and facilities to other Tier 3 settlements within the District. On the face of the evidence, it could not be considered to be a justified proposition to not include Whimple as a Tier 3 settlement. 5.35 Using the Sustainability Appraisal’s own analysis, the promotion of Whimple to a Tier 3 Local Centre, with the additional resulting development, would provide a number of positive outcomes against the Sustainability Appraisal’s objectives, including: ? SA Objective 2 (Landscape) - it would continue to focus development outside nationally designated landscapes and/or the undeveloped coast; ? SA Objective 4 (Climate change and carbon emissions) - Whimple has a good range of services and facilities that are capable of supporting a larger population. It is also within an active travel distance of the services, facilities and employment opportunities within the West End and Exeter, which are also connected by sustainable modes of transport (the West of England Main Line). A greater focus of development at Whimple would therefore provide a strong alignment with the Objective. ? SA Objective 5 (Climate change adaption) – the analysis identifies Whimple as being located within a Critical Drainage Area and therefore it identifies development in such locations as having an uncertain effect. However, in some cases, as has been demonstrated in Section 2 above, development in such a location can help to reduce the issue. In such a circumstance this would achieve a positive outcome. ? SA Objective 6 (Land resources) – the analysis identified that Whimple is affected by a Minerals Safeguarding Area. This overplays the situation, with the designation extending to the north of the A30, but being divorced from the undeveloped areas of land that surround Whimple. Additional allocations at the settlement would therefore not affect any Minerals Safeguarding Area. 8 Para. 182 of the 2012 version of the NPPF 9 Page 178. SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 21 ? SA Objective 8 (Homes) - further development at Whimple is likely to result in additional smaller-scale developments coming forward, which, as identified in the analysis, are faster to build-out. In the context of: (1) the requirement not meeting the objectively assessed need for housing; and (2) the need for a stepped trajectory for the first 12 years of the Plan, a greater number of small-scale sites would help to provide a closer alignment with needs in the first part of the plan period. ? SA Objective 9 (Health and wellbeing) – further development at Whimple would ensure that future residents have access to the sports provision within the settlement, as well as other rural recreation opportunities. It is also connected via active and sustainable modes of transport to the existing and proposed leisure opportunities within Cranbrook. ? SA Objective 10 (Access to services), SA

Objective 11 (Jobs and employment) and SA Objective 13 (Connectivity and transport) – further development at the Service Villages was identified as resulting in a greater volume of travel to Exeter from inaccessible areas, with poorer travel links. This, however, is not the case for Whimple, which benefits from active and sustainable travel connections to East Devon's West End and Exeter. If Cranbrook, which lies just 1km to the west of Whimple/one stop on the West of England railway line is considered to be a sustainable location to accommodate development, then, by definition, so should Whimple. 5.36 Consequently, an enhanced role for Whimple in the spatial strategy, which has both the services, facilities and environmental capacity to accommodate further growth, could result in a pattern of development that is consistent with the spatial strategy. It would also strengthen the positive outcomes against the SA Objectives for the preferred spatial strategy. THE DISTRIBUTION OF DEVELOPMENT The West End 5.37 As set out above, the emerging Plan's spatial strategy seeks a continuation of the spatial strategy adopted in the 2016 Local Plan, which, in the first instance, focused development within East Devon's West End. For the reasons set out above, this strategy continues to be appropriate. 5.38 Excluding windfall provision, Strategy 2 of the adopted East Devon Local Plan seeks to focus 10,563 dwellings out of the 16,393 dwellings planned for, in the West End. This equates to approximately 64% of the planned provision. 5.39 The Regulation 19 Local Plan Sustainability Appraisal (CSD-003(rev)) confirms that the preferred option for the distribution of development is Option E, which, whilst continuing to focus development within the West End, would do so at a reduced level of 55% (11,600 dwellings). 5.40 Whilst the Local Plan sought to focus nearly two-thirds of provision within the West End, this level of provision has not materialised. Table 3 of the Council's latest Housing Monitoring Update (Document HOU-004(rev)c) confirms that 5,325 homes have been constructed in the West End in the period April 2013 to March 2025. This represents a shortfall of around 1,719 homes against the annualised requirement for the West End of 587 homes per annum. Over that same period, just under 50% of the District's total housing completions have occurred within the West End. 5.41 Moreover, the Monitoring Report forecasts again that there will be a shortfall in delivery within the West End against the distribution set out in Strategy 2 of the adopted Local Plan by the end of the plan period. Around 43% of forecast completions are to occur in the West End (6,742 dwellings are forecast to be completed in the West End, against total forecast completions of 15,667 homes). Whilst, prima facie, it could be argued that a lower housing apportionment should be afforded to the West End, it is noted that only around 30% of the overall anticipated delivery from the Cranbrook Expansion Areas is forecast to occur by the end of the plan period. Consequently, the majority of delivery from the Expansion Areas is likely to occur outside the plan period. The Local Planning Authority attributes the shortfall in the West End to the delay in the adoption of the Cranbrook Plan. SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 22 5.42 It does, however, suggest that the Local Planning Authority is correct to place less reliance on the West End in

meeting objectively assessed needs, for such a focus is unlikely to be deliverable or effective. Therefore, there is a need, in order for the Plan to be both deliverable and effective, for a reduced focus within the West End, but to a level that does not undermine the achievement of the benefits of adopting such a strategy, as set out in the Sustainability Appraisal. The preferred distribution of development as set out in the Sustainability Appraisal strikes this appropriate balance. 5.43 Across the plan period, it would result in an average annual delivery rate for the West End of 527 homes, which is a rate of delivery that has been achieved in the West End before, suggesting that it is both a deliverable and an effective proposition. 5.44 It should be noted that no equivalent table to that set out in Strategy 2 of the current Local Plan is provided within the emerging Local Plan. Moreover, this information cannot be obtained from the table contained within Strategic Policy SP03 or easily from Appendix 2 of the emerging Local Plan, as they: ? do not encapsulate a full picture of supply over the plan period, as they exclude elements such as the second new community; ? establish a requirement for neighbourhood planning areas, which are often wider than settlement level; ? in some cases, attribute development to a designated neighbourhood area that principally relates to the West End. For instance, in Whimple's case, of its total requirement of 611 dwellings, 500 dwellings are attributable to a Cranbrook Expansion Area. Consequently, as set out in the Sustainability Assessment, the 500 units attributed to Whimple from the Cranbrook Expansion Areas would, in that apportionment, be associated with delivery in the West End, rather than at the Service Village. 5.45 Additionally, the housing supply information contained within Document KSD-009 is over three years old and therefore does not reflect the components of supply introduced into the emerging Plan since the Regulation 18 consultation. 5.46 The omission of a table that confirms whether the Plan provides for the distribution set out in the preferred distribution option in the Sustainability Appraisal is a significant omission. It would help to demonstrate that the Plan is justified. The rest of East Devon 5.47 The preferred option for distributing development as set out in the Sustainability Appraisal would see approximately 9,500 dwellings being distributed in the 'rest of East Devon' (approximately 45% of the housing requirement), of which: ? 32% (6,800 homes) is to be focused at Exmouth and the Main Centres; and ? 13% (2,700 homes) to the Local Centres, Service Villages and the Countryside. 5.48 For the areas of the District that are located outside the West End, this would equate to an annual average delivery rate of 432 dwellings per annum. This is a rate of delivery that has been achieved in seven out of the past 11 monitoring years. Consequently, it is a deliverable and therefore an effective proposition. 5.49 In the context presented in Sections 6 and 8 of these representations, where there is a need for: (1) the housing requirement to be increased to better reflect objectively assessed needs or account for the shortfall in delivery against the current Local Plan's housing requirement; and (2) a need to increase the supply of homes in the first 12 years of the Plan and place less reliance on a stepped trajectory (particularly when the Plan does not propose to meet objectively assessed needs in full), there is a need to explore the

potential for further allocations to be made, particularly where they provide a strong fit with the spatial strategy. SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 23 5.50 Further development at Whimple, for instance, would, as has been demonstrated above, be broadly consistent with the spatial strategy. It would provide a balance between affording an opportunity for a greater amount of rural need to be met at a settlement which has services and facilities that are capable of supporting an increased population, but in a location where higher order services, facilities and strategic employment locations can be accessed by active and sustainable modes of transport. 5.51 Given its locational advantages, DWH are concerned about the level of housing proposed at the settlement; excluding the commitment at the Cobdens Expansion Area, just 111 homes are proposed at the settlement over the period 2020 to 2042, which provides an annual average delivery rate of just 5 homes per annum. Appendix 2 of the emerging Plan confirms that just 83 homes are to come forward from proposed allocations, with completions and commitments accounting for over 25% of its housing requirement figure. 5.52 Despite, as suggested in the Role and Function of Settlements Report (GEV-001), Whimple housing 0.81% of the District's population, the Local Plan proposes, excluding a windfall provision, the settlement to accommodate just 0.53% of the overall planned housing provision. In comparison, Woodbury houses 1.18% of the District's population, but will accommodate approximately 1.75% of the District's housing provision. Similarly, Feniton, which, as demonstrated above, has fewer services and facilities than Whimple, houses 1.16% of the District's population, but is proposed to accommodate approximately 0.61% of the planned provision. Whimple's current role within the spatial strategy in comparison to other Local Centres 5.53 Excluding the anticipated delivery from the Cranbrook Expansion Area, Whimple's housing requirement is 111 dwellings. This is a similar quantum of development to that envisaged at two of the Local Centres; Budleigh Salterton (135 homes) and Colyton (169 homes). 5.54 Consequently, given its services, facilities, active and sustainable transport connections and the quantum of development proposed at the settlement, Whimple is already fulfilling the role and function of a Local Centre. It would therefore be a justified strategy to redesignate Whimple as a Local Centre. This would provide it with the opportunity to have a greater role in meeting East Devon's housing needs. Whimple's housing capacity based on its services and facilities 5.55 It has been demonstrated that Whimple has a greater number of services and facilities than other settlements with a larger population. Woodbury, Feniton and Newton Poppleford, for instance, all have populations in excess of 1,700 residents, whilst West Hill has a population of over 2,000 residents. Conservatively, before any additional allocations are proposed within the emerging Local Plan, it is considered that Whimple has, on the basis of its services and facilities, the capacity to accommodate a further 217 homes10 .

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

5.56 The analysis presented above demonstrates that Whimple has a comparable level of services and facilities to Tier 3 Local Centres. Excluding development associated with the Cobden's Expansion Area, a comparable level of development is proposed at Whimple to other Tier 3 settlements. Consequently, in all but name, Whimple is acting as a Tier 3 Local Centre. It is therefore not a 10 The difference between the populations of Whimple (1,189 residents) and Woodbury, Feniton and Newton Poppleford (approximately 1,700 residents), divided by 2.35 persons, per home.

 24 justified proposition for it to continue to be designated as a Tier 4 Service Village; it should be redesignated as a Tier 3 Local Centre.

5.57 In such a circumstance, Whimple could be afforded a greater role in meeting the District's unmet housing needs, particularly as the settlement has a level of services and facilities that are capable of supporting a larger population. A greater focus of development at Whimple would also accord with the Plan's wider spatial strategy, which seeks to focus development in the western portion of East Devon.

Full name: Neil Mantell

Organisation (where relevant): LRM Planning

Other party name (if relevant): David Wilson Homes

Proposal:

3. The Spatial Strategy

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

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

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

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

9.34 Disappointingly, para. 3.17 of the 'Role and Function of Settlements' background paper describes Whimple as being a dormitory settlement and a "relatively unsustainable" place to live. This conclusion is made after an assessment of the jobs to homes balance, wherein it is identified that the settlement has nearly three times as many residents available to work than the number of jobs available in the settlement. 37 Page 190 of DocumentCSD-003(rev). 38 MHCLG, Planning Practice Guidance, Housing and Economic Needs Assessment, Paragraph: 018 Reference ID: 11-018-20140306.

9.35 This conclusion, as indicated at para. 3.34 of the same document, has influenced the Local Planning Authority's views on the levels of residential development that Whimple could accommodate, as it was considered that "residential development in isolation is likely to perpetuate unsustainable travel to work patterns."

9.36 However, such analysis ignores the significant existing active and sustainable transport opportunities provided at Whimple and the potential for them to be enhanced. Indeed, Whimple is located within a reasonable cycling journey time of Cranbrook and the employment opportunities clustered at that settlement and the surrounding areas. Other than one other road, Cranbrook is linked to Whimple by London Road. The Cranbrook Plan has secured significant funding for environmental enhancements to London Road. Those improvements, which are to be delivered by Devon County Council, will have a design speed of 20mph and are likely to include segregated

pedestrian and cycle links. Cycling could therefore become even more of a realistic mode to travel to work for Whimple's residents.

9.37 Moreover, as outlined elsewhere in these representations, Whimple has a railway station, which is described in the Role and Function of Settlements background paper as being a strategic facility. The station is located on the West of England Railway Line and therefore services are provided to a range of destinations including Cranbrook and Exeter to the west and Axminster, Honiton, Crewkerne, Yeovil, Salisbury, Basingstoke and London to the east. The station is served by a total of 12 services a day in a westerly direction and 14 to the east. Services are also to improve as a result of planning infrastructure works on the line (see project TRA-1 of Document KSD-001).

9.38 The railway station is relatively well-used and proportionally more residents travel to work by the railway than in other areas of the District. Further growth around Whimple has the potential to encourage further patronage.

9.39 As well as reducing congestion on the highways network, the promotion of such sustainable modes of travel would reduce greenhouse gas emissions associated with the private vehicle, whilst health benefits would also result.

9.40 The conclusion presented in the assessment work also ignores more modern methods of working, especially since the Covid-19 pandemic. In this regard we note that superfast broadband is available in Whimple.

9.41 For the above reasons, DWH considers that the evidence base document is deficient. It has resulted in an unjustified strategy that has constrained levels of development at Whimple to an unreasonable level.

9.42 Future versions of the evidence base document and the other documents that the work has influenced, including the emerging Local Plan, should reconsider the role that Whimple could play in accommodating development, particularly given the need, for the reasons set out within these representations, to identify further housing allocations within the District.

Full name: Alex Bullock

Organisation (where relevant): LVA

Other party name (if relevant): Clyst Honiton (Holdings) LVA LLP

Proposal:

3. The Spatial Strategy

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

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

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

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

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: LVA strongly supports the selected Spatial Strategy which seeks to direct significant levels of development to the West End of the District and LVA considers that such a strategy is supported by available evidence which confirms it is largely free from constraint, benefits from its position relative to Exeter and the strategic road network (M5) and therefore is a suitable location to help meet a significant proportion of the Council's need for the identified plan period. LVA also strongly supports the identification of a second New Community (known as Marlcombe) within the West End. We consider this represents the optimal strategy for meeting a significant proportion of the housing need through the planning of a new community. Such a conclusion is further endorsed by Marlcombe having been identified by the New Towns Taskforce as one of 12 suitable locations for the next generation of new towns. Whilst it is not yet known if Marlcombe will be included within the final programme it is the case that the location, having been reviewed by an expert advisory panel and separate from either the Council or the landowners, has considered it a location which is suitable for the level of growth envisaged by the LPR.

Full name: James McMurdo

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

Other party name (if relevant): Stuart Partners Ltd

Proposal:

3. The Spatial Strategy

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

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

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

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

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

Objection (maintained) Reasons (as per previous representations)

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

• Remove significant levels of housing and employment land allocations from national landscapes (which are not market facing in any case) and

• Reallocate the deleted allocation numbers from national landscapes to the “West End” of East Devon and

• Allocate additional housing and employment land away from national landscapes to meet Exeter’s unmet needs, on the area free from development constraints, the “West End” of the district.

Full name: James McMurdo

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

Other party name (if relevant): Stuart Partners Ltd

Proposal:

3. The Spatial Strategy

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

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

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

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

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

Objection - (maintained) Reasons - (as per previous representations)

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

• Remove significant levels of housing and employment land allocations from national landscapes (which are not market facing in any case) and

• Reallocate the deleted allocation numbers from national landscapes to the “West End” of East Devon and

• Allocate additional housing and employment land away from national landscapes to meet Exeter’s unmet needs, on the area free from development constraints, the “West End” of the district.

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

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

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: [this representation is also relevant to Spatial Policy chapter paragraphs 3.1 to 3.14 inclusive]

We have through earlier representations made on the emerging Local Plan raised concerns regarding the overall strategy of the Plan, particularly in terms of approach to meeting housing needs and an inherent imbalance towards constraint and matters that ultimately constrain growth opportunities and the delivery of sustainable development. Some of those issues unfortunately still remain apparent in the Regulation 19 Part 2 version of the Plan with no substantive changes being made to the overall Plan strategy and how levels of future housing delivery will be managed.

Policy SP01 – Spatial Strategy: We continue to broadly support the spatial strategy outlined in Policy SP01 which continues to recognise the role of Honiton as a Main Centre where significant development can be accommodated, although we do consider that the level of actual provision is too low and is not sufficient to address the historic lack of delivery of new homes at Honiton.

There are further site opportunities that continue to be overlooked as raised further in representations in relation to Policy SD03 (Honiton and its Development Allocations) which could contribute to addressing these needs. My clients' site at Heathfield Manor, Honiton is one such site, providing a logical extension to the town and forming a

significantly improved landscape and habitat relationship between the urban edge and National Landscape.

We also remain concerned regarding the continued reliance on the new community in respect of this Plan period. The experience of Cranbrook demonstrates the long lead-in times in respect of delivery, with first occupations at Cranbrook occurring some 20 years post allocation (having been arguably a more defined proposal than the new Marlcombe community at that stage). We provide additional comments on this in relation to Strategic Policy WS01. None of the changes within the Part 2 version address the risks to delivery. Indeed, increased aspirations for affordable housing and higher densities at Marlcombe increase the likelihood of delivery rates not being achieved.

We also consider it to be short-sighted not to consider further provision at Cranbrook beyond the adopted Cranbrook Plan area, given it clearly would be a sustainable option for delivering additional growth and infrastructure is already in place or planned. This alongside other deliverable sites would provide the opportunity for contingency and bring much needed resilience to the Plan.

Policy SP02 – Levels of Future Housing Development: We are greatly concerned that the Council has not sought either to revisit the stepped approach to housing delivery or provide any further justification for its approach within the Part 2 Reg 19 consultation. We have set out in our previous reps that this is unjustified, will simply defer housing delivery and will widen the gap between supply and unmet need. This is in the context of the Plan already seeking to under provide on its strategic housing requirement by utilising the NPPF transitional arrangements to reduce this by 20%. This is despite the clear intention of the transitional arrangements being to provide the opportunity for advancing Local Plans quickly after the publication of the revised NPPF and issue a Regulation 19 Plan by March 2025. Nearly a year on from this the Council remains unsettled on its Regulation 19 Plan (as evidenced by this Part 2 consultation) with fundamental questions remaining regarding its soundness and around the delivery of key sites.

The stepped housing delivery approach proposed within SP02 will instead defer the issue of under delivery to the later parts of the Plan at which point unmet needs will be substantial with little prospect of addressing any shortfall. Therefore, rendering the Plan ineffective and failing to deliver sustainable development in order to meet the needs of its community consistent with national policy.

The stepped approach will have the effect that for more than half of the Plan period housing delivery will be proposed at 71% of the new standard method, a reduction of more than a quarter of the local housing needs target. Resulting in substantial unmet need and, critically, a substantial shortfall with no certainty that the Plan will address this in the later Plan period.

That the Part 2 Regulation 19 Plan does not address this issue or justify its approach does nothing to suggest that the proposed stepped approach is not simply a contrived way of firstly attempting to benefit from the transitional arrangements and secondly, avoiding making the important and difficult decisions required to meet the District's substantial level of housing need.

We set out in our previous representations that the circumstances where a stepped approach might be appropriate are not relevant in East Devon, this is because:

• Required housing numbers are not significantly different to those within the previous Local Plan (indeed they are the same under the transitional arrangements);

• Many of the allocated sites within the Plan are not 'strategic' in the sense of the PPG;

• The uncertainties around the delivery of Marlcombe at the latter part of the Plan period suggests the Plan should look to maximise delivery of non strategic sites in the earlier stages of the Plan period;

• The nationwide Lichfield report relied upon by the Council identifies that smaller sites (under 100 dwellings) which make up a significant proportion of the Plan's allocation are capable of being delivered in 4 years; and

• Environmental constraints and planning challenges are not unique to East Devon.

The Council's attention is drawn to the Inspector's Detailed Stage 2 Post Hearing Letter following the Examination of the Wiltshire Local Plan in December 2025 which heavily criticises the stepped housing approach for the reasons outlined above. The Inspector further questioned why the stepped housing approach was not tested as part of the Sustainability Appraisal of the Plan (see Wiltshire Local Plan Examination). These same criticisms that such an approach is neither positively prepared nor justified are equally relevant to the East Devon Plan.

Rather than justify a stepped approach, we consider the above factors should lean towards a Plan that seeks to frontload and maximise delivery from a range of sites rather than metaphorically 'kicking the can down the road' by delaying delivery and then over relying on the latter part of the Plan period.

Some of the concerns the Council now raise in respect of early delivery are a direct consequence of the decisions made which saw some larger sites allocated on capacity grounds without due regard to constraints such as securing appropriate access, ecology impacts, heritage impacts and land ownership and the unjustified removal of other sites which could have contributed to housing delivery in the earlier stages of the Plan. We outline these concerns in representations to Policy SD03 in respect of our clients' site at land at Heathfield Manor, Honiton which was not carried forward from the Regulation 18 Plan, contrary to officers recommendations.

There were a wide range of opportunities for further allocated sites as evidenced by the Regulation 18 version of the plan and site selection processes, which identified a number of suitable and available sites that would not have high infrastructure burdens and could come forward quickly. It is regrettable that the inconsistencies of the Regulation 19 site selection process have meant that some sites considered suitable at Regulation 18 (and more deliverable in many cases) were removed at Regulation 19, whilst other sites, with more challenging constraints, not previously considered were allocated in their place.

The Council had in front of them a range of sites in key settlements identified as available and suitable which have not been taken forward, but if they were, they could still provide significant resilience to the Plan strategy by supporting early and increased delivery rates, negating a flawed stepped housing approach.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: As we have set out above the Plan's approach in setting a stepped housing target is unjustified, goes against the spirit of the NPPF transitional arrangements and seeks to effectively push the matter of delivering housing to meet local needs into the next local plan cycle. The Government have been clear that in introducing the transitional arrangements they expect the progress of plans to be

maintained, whilst maximising proactive planning for the homes communities need. We consider the stepped approach does not support the Government's intentions.

Therefore, currently this approach risks rendering the Plan unsound in our view. To address this the Plan will need to be the subject of fundamental modification. This will include removing all reference to the stepped approach within Policy SP02 and instead including a consistent housing requirement of 950.4 dwellings per annum over the entire Plan period.

In addition, to provide greater resilience against the delivery issues the Council has identified in relation to larger sites, modifications should be made to include a range of sites that can support greater resilience for early Plan delivery. This includes reviewing and allocating opportunities already previously considered through the site selection process where sites were previously proposed to be allocated in earlier stages of the Plan and/or where they have not been discounted on deliverability grounds.

These Modifications are essential for addressing the unjustified stepped approach towards housing delivery and ensuring the Plan can be found sound. Otherwise, the Plan as its stands would not be positively prepared in that it fails to deliver the housing required to meet local needs. Its approach is not justified by the evidence base nor is it consistent with national policy. The result will be an ineffective Plan that fails to deliver for the needs of its community.

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

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

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

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

Proposal:

3. The Spatial Strategy

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: [Representation also applies to Spatial Strategy chapter paragraphs 3.1 to 3.14 inclusive] We have through earlier representations made on the emerging Local Plan raised concerns regarding the overall strategy of the Plan, particularly in terms of approach to meeting housing needs and an inherent imbalance towards constraint and matters that ultimately constrain growth opportunities and the delivery of sustainable development. Some of those issues unfortunately still remain apparent in the Regulation 19 Part 2 version of the Plan with no substantive changes being made to the overall Plan strategy and how levels of future housing delivery will be managed.

Policy SP01 – Spatial Strategy: We continue to broadly support the spatial strategy outlined in Policy SP01 which recognises the role of the West End of the District in supporting the role of Exeter through strategic growth. We also support that the Plan recognises the role of Exmouth as a Principal Centre with the capacity for high levels of growth, although we do consider that the level of actual provision is too low and is not sufficient to address the historic lack of delivery of new homes at Exmouth in the town. There are further site opportunities that continue to be overlooked as raised further below [see separate entry] in representations in relation to Policy SD01 (Exmouth and its Development Allocations) which could contribute to addressing these needs.

We also remain concerned regarding the continued reliance on the new community in respect of this Plan period. The experience of Cranbrook demonstrates the long lead-in times in respect of delivery, with first occupations at Cranbrook occurring some 20 years post allocation (having been arguably a more defined proposal than the new

Marlcombe community at that stage). We provide additional comments on this in relation to Strategic Policy WS01. None of the changes within the Part 2 version address the risks to delivery. Indeed increased aspirations for affordable housing and higher densities at Marlcombe increase the likelihood of delivery rates not being achieved.

We also consider it to be short-sighted not to consider further provision at Cranbrook beyond the adopted Cranbrook Plan area, given it clearly would be a sustainable option for delivering additional growth and infrastructure is already in place or planned. This alongside other deliverable sites would provide the opportunity for contingency and bring much needed resilience to the Plan.

Policy SP02 – Levels of Future Housing Development: We are greatly concerned that the Council has not sought either to revisit the stepped approach to housing delivery or provided any further justification for its approach within the Part 2 Reg 19 consultation. We have set in our previous reps that this is unjustified, will simply defer housing delivery and widen the gap between supply and unmet need. This is in the context of the Plan already seeking to under provide on its strategic housing requirement by utilising the NPPF transitional arrangements to reduce this by 20%. This is despite the clear intention of the transitional arrangements being to provide the opportunity for advancing Local Plans quickly after the publication of the revised NPPF and issue a Regulation 19 Plan by March 2025. Nearly a year on from this the Council remains unsettled on its Regulation 19 Plan (as evidenced by this Part 2 consultation) with fundamental questions remaining regarding its soundness and around the delivery of key sites.

The stepped housing delivery approach proposed within SP02 will instead defer the issue of under delivery to the later parts of the Plan at which point unmet needs will be substantial with little prospect of addressing any shortfall. Therefore, rendering the Plan ineffective and failing to deliver sustainable development in order to meet the needs of its community consistent with national policy.

The stepped approach will have the effect that for more than half of the Plan period housing delivery will be proposed at 71% of the new standard method, a reduction of more than a quarter of the local housing needs target. Resulting in substantial unmet need and, critically, a substantial shortfall with no certainty that the Plan will address this in the later Plan period.

That the Part 2 Reg 19 Plan does not address this issue or justify its approach does nothing to suggest that the proposed stepped approach is not simply a contrived way of firstly attempting to benefit from the transitional arrangements and secondly, avoiding making the important and difficult decisions required to meet the District's substantial level of housing need.

We set out in our previous representations that the circumstances where a stepped approach might be appropriate are not relevant in East Devon, this is because:

• Required housing numbers are not significantly different to those within the previous Local Plan (indeed they are the same under the transitional arrangements);

• Many of the allocated sites within the Plan are not 'strategic' in the sense of the PPG;

• The uncertainties around the delivery of Marlcombe at the latter part of the Plan period suggests the Plan should look to maximise delivery of non strategic sites in the earlier stages of the Plan period;

• The nationwide Lichfield report relied upon by the Council identify that smaller sites (under 100 dwellings) which make up a significant proportion of the Plan's allocation are capable of being delivered in 4 years; and

• Environmental constraints and planning challenges are not unique to East Devon.

Rather than justify a stepped approach, we consider the above factors should lean towards a Plan that seeks to frontload and maximise delivery from a range of sites rather than metaphorically 'kicking the can down the road' by delaying delivery and then over relying on the latter part of the Plan period.

There are a wide range of opportunities for further allocated sites as evidenced by the Regulation 18 version of the plan and site selection processes, which identified a number of suitable and available sites that would not have high infrastructure burdens and could come forward quickly. It is regrettable that the inconsistencies of the Regulation 19 site selection process have meant that some sites considered suitable at Regulation 18 (and more deliverable in many cases) were removed at Regulation 19, whilst other sites, with more challenging constraints, not previously considered were allocated in their place.

The Council had in front of them a range of sites in key settlements identified as available and suitable which have not been taken forward, but if they were, they could

still provide significant resilience to the Plan strategy by supporting early and increased delivery rates, negating the stepped housing approach.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: As we have set out above the Plan's approach in setting a stepped housing target is unjustified, goes against the spirit of the NPPF transitional arrangements and seeks to effectively push the matter of delivering housing to meet local needs into the next local plan cycle. The Government have been clear that in introducing the transitional arrangements they expect the progress of plans to be maintained, whilst maximising proactive planning for the homes communities need. We consider the stepped approach does not support the Government's intentions.

Therefore, currently this approach risks rendering the Plan unsound in our view. To address this the Plan will need to be the subject of fundamental modification. This will include removing all reference to the stepped approach within Policy SP02 and instead including a consistent housing requirement of 950.4 dwellings per annum over the entire Plan period.

In addition, to provide greater resilience against the delivery issues the Council has identified in relation to larger sites, modifications should be made to include a range of sites that can support greater resilience for early Plan delivery. This includes reviewing and allocating opportunities already previously considered through the site selection process where sites were previously proposed to be allocated in earlier stages of the Plan and/or where they have not been discounted on deliverability grounds.

These Modifications are essential for addressing the unjustified stepped approach towards housing delivery and ensuring the Plan can be found sound. Otherwise, the Plan as its stands would not be positively prepared in that it fails to deliver the housing required to meet local needs. Its approach is not justified by the evidence base nor is it consistent with national policy. The result will be an ineffective Plan that fails to deliver for the needs of its community.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Given the current and previous representations made on the Emerging Local Plan on behalf of our clients, we have confirmed that we do wish to attend the Examination Hearings relevant to all the points raised in order to provide greater elaboration of the detail of these representations.

Full name: Laura Grimason

Organisation (where relevant): Pegasus Group

Other party name (if relevant): Taylor Wimpey Strategic Land

Proposal:

3. The Spatial Strategy

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Second Regulation 19 Consultation, November 2025 – January 2026 I write pursuant to the current East Devon District Council (EDDC) second Regulation 19 consultation on behalf of my client Taylor Wimpey Strategic Land. Most of the submitted comments relate to general points however some are relevant to the Land at Colestocks Road, Feniton site which is being promoted by Taylor Wimpey. Outline consent was granted on the 11th July 2025 for the following development on part of this site under appeal ref. APP/U1105/W/24/3357849: "Up to 86 dwellings with access from Colestocks Road; the provision of public open space, landscaping, drainage, and associated highways improvements and infrastructure. All matters to be reserved except for access." For reference, the EDDC reference for this application was 24/0431/MOUT. Strategic Policy SP01 Spatial Strategy The settlement boundary for Feniton has been amended to include the Land at Colestocks Road site within it following the granting of outline planning permission for up to 86 dwellings under appeal ref. APP/U1105/W/24/3357849. The Settlement Boundaries Topic Paper Evidence Base Document, ref. KSD-010(rev) confirms this. This change is supported with the site contributing towards the delivery of much-needed homes in Feniton and East Devon more widely. We note that reference to the role and function of settlements document in the footnotes is incorrect. This is referred to as KSD-012 however the correct reference is KSD-011 as per the Evidence and Examination Library.

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

document in the footnotes is incorrect. This is referred to as KSD-012 however the correct reference is KSD-011 as per the Evidence and Examination Library.

Full name: Elliot Jones

Organisation (where relevant): Planning Potential

Other party name (if relevant): Bloor Homes

Proposal:

3. The Spatial Strategy

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Strategic Policy SP01 expressly recognises Exmouth as the District's Principal Centre with the most significant development levels, which reflects the scale, infrastructure and accessibility of Exmouth. However, notwithstanding the representations submitted by Bloor Homes to the First Regulation 19 Draft, the policy still gives primacy to the West End and therefore, in order to ensure the plan remains effective and justified, we request development opportunities in Exmouth are given the same weight as those in the West End (adjusting the settlement hierarchy to reflect this would promote balanced growth, harness the full potential of Exmouth, and ensure equitable development across East Devon). Alternatively, the following minor modification to criterion B should be made in order to ensure that Exmouth is not approached as a residual location after West End delivery.

While the draft Framework currently holds consultation status, its policies will become a material consideration upon adoption (which is expected later this year). Importantly, policies found to be inconsistent with the revised NPPF will be afforded very limited weight unless examined and adopted under the new system. Given that East Devon's local plan has not yet reached examination stage, it is essential that the Council anticipates these forthcoming changes. Incorporating the principles and policy direction set out in the Consultation will help ensure the emerging Local Plan remains robust, future-proofed, and capable of meeting the tests of soundness under the new regime. Failure to do so risks misalignment with national policy and could undermine

the weight and effectiveness of the plan post-adoption. As such, key themes which East Devon's Local Plan should integrate with include the governments ambition to improve density and land efficiency, with density requirements alongside a stronger presumption in favour of sustainable development while there is greater support for well-connected developments adjacent to existing settlements. REPRESENTATIONS These representations expands upon previous submission made by Planning Potential on behalf of Bloor Homes to the First Regulation 19 Publication Draft. Therefore, these representations solely focus on the alterations made as part of the Second Regulation 19 Publication Draft and should be read in conjunction with the representations submitted to the First Regulation 19 Draft.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: This is suggested as follows: "New development will be directed towards the most sustainable locations in East Devon, by: [A…] B. Promoting the most significant development levels, other than at the West End where the highest levels of growth are proposed, at the Principal Centre of Exmouth, including early-plan delivery on allocations capable of front-loading supply." This will ensure a balanced growth trajectory for East Devon and reduces an over-reliance on the West End delivering the employment opportunity and homes required to meet the overall needs of the area. Fundamentally, the minor changes proposed to this policy are welcomed and supported, however it is considered that the policy could be further improved to ensure an equitable weighting between Exmouth and the West End for the point of decision making. This will ensure even distribution of delivery.

Full name: Sarah R Smith

Organisation (where relevant): Rapleys LLP

Other party name (if relevant): The Crown Estate

Proposal:

3. The Spatial Strategy

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

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

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

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

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: TCE supports the principles of the spatial strategy as set out in SP01, focussing development on the western side of the district (54%) whilst at the same time promoting an appropriate level of development at the 'main centres' (Tier 2 in the hierarchy)throughout the District (30%), including Axminster, and allowing limited development to meet local needs at 'service villages'/local centres and in the countryside (16%). The spatial strategy is not overly reliant on a single source of delivery, providing flexibility for the market. This is consistent with the NPPF (2023) and the principles of sustainable development and is supported.

Local planning authorities are required to have a clear understanding of the housing need in their area, by preparing a Strategic Housing Market Assessment (SHMA). The EDDC Plan can be prepared under the December 2023 version of the NPPF by reference to paragraphs 234-236 of the NPPF 2024. This is because this Regulation 19 Plan was published prior to 12 March 2025 and its housing requirement meets at least 80% of local need (calculated using the standard method in the NPPF, December 2024).

Full name: Nick Matthews

Organisation (where relevant): Savills

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

Proposal:

3. The Spatial Strategy

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

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

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

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

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

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

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

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Developments Ltd

Proposal:

3. The Spatial Strategy

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

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

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

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

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.: Strategic Policy SP01: Spatial Strategy We note that the proposed spatial strategy is predominantly unchanged from that set out in the first Regulation 19 consultation draft, with the exception of the inclusion of the specific name for the proposed new community of Marlcombe. We therefore continue to be supportive of the proposed spatial strategy in broad terms, and agree that there is a need to focus the spatial strategy on development at the most sustainable towns in the district. However, as set out in our comments to draft policy SP02, we continue to consider that the most sustainable villages are capable of playing a significant role within the spatial strategy, and indeed may need to play a more significant role given the likely need for the authority to revisit the proposed housing requirement and with it the need for an increase in the number of allocations. Linked to this, we continue to maintain that reference within the Draft Plan to an allowance for only 'limited development to meet local needs at the Service Villages' should be carefully considered to ensure that the growth directed to those villages is proportionate. No changes have been made in this respect since our representations to the first Regulation 19 consultation draft. It remains the case that for a number of villages more than simply 'limited' development is already proposed to be directed to those settlements. This is a matter we support. Development at the sustainable towns and villages is important to ensure the delivery of affordable housing for those locally who really need it, as well as supporting local shops and services We continue to maintain therefore that the authority review the proposed use of the word 'limited' for the service villages, in order to ensure that the important role the villages can play is strengthened within the draft plan.

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We continue to maintain therefore that the authority review the proposed use of the word 'limited' for the service villages, in order to ensure that the important role the villages can play is strengthened within the draft plan.

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Strategic Policy SP01: Spatial Strategy We note that the proposed spatial strategy is predominantly unchanged from that set out in the first Regulation 19 consultation draft, with the exception of the inclusion of the specific name for the proposed new community of Marlcombe. We therefore continue to be supportive of the proposed spatial strategy in broad terms, and agree that there is a need to focus the spatial strategy on development at the most sustainable towns in the district. However, as set out in our comments to draft policy SP02, we continue to consider that the most sustainable villages are capable of playing a significant role within the spatial strategy, and indeed may need to play a more significant role given the likely need for the authority to revisit the proposed housing requirement and with it the need for an increase in the number of allocations. Linked to this, we continue to maintain that reference within the Draft Plan to an allowance for only 'limited development to meet local needs at the Service Villages' should be carefully considered to ensure that the growth directed to those villages is proportionate. No changes have been made in this respect since our representations to the first Regulation 19 consultation draft. It remains the case that for a number of villages more than simply 'limited' development is already proposed to be directed to those settlements. This is a matter we support. Development at the sustainable towns and villages is important to ensure the delivery of affordable housing for those locally who really need it, as well as supporting local shops and services We continue to maintain therefore that the authority review the proposed use of the word 'limited' for the service villages, in order to ensure that the important role the villages can play is strengthened within the draft plan.

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

proposed use of the word ‘limited’ for the service villages, in order to ensure that the important role the villages can play is strengthened within the draft plan.

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

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: In order to represent the interests of 3West Group in relation to their interests in the Land north and east of Exton Farm (Wood_28), and other draft policies in the plan.

Full name: Andrew Ross

Organisation (where relevant): Turley

Other party name (if relevant): Bloor Homes Exeter and Stuart Partners Ltd

Proposal:

3. The Spatial Strategy

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

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

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

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: Strategic Policy SP01: Spatial strategy [Support]

2.1 In respect of the component of the Spatial Strategy that directs significant levels of development to the West End of the district (Part A) this is strongly supported, as the available evidence strongly supports this as a suitable a logical location to meet a large proportion of the development needs within East Devon.

2.2 This evidence relates to the relative absence of constraints (such as designated landscapes) and the proximity to the City of Exeter and other major strategic developments in this area, as well as associated infrastructure (such as the M5 and Exeter Airport).

2.3 There is also strong support for the proposed further new-community development (Marlcombe - as identified at Part A of Policy SP01) which is a pragmatic and robust response to plan for the development of East Devon and this part of the wider sub-region in the South West.

2.4 Marlcombe is a location which now has endorsement from the New Towns Taskforce ["NTT"], an expert advisory panel established in September 2024 to support the government to deliver the next generation of new towns. It is not yet known if the Marlcombe new community will be selected for inclusion in the government's formal programme for the delivery of new towns; however, the recognition that this location has significant potential for growth at the scale envisaged is important, where this development will be required as part of the strategy for East Devon in any event.

2.5 Planning for a second new community (with the associated delivery of new homes and employment opportunities) represents a very positive and pro-active approach from the Council, which is reflective of national planning policy, which

advocates ensuring that strategic planning policies consider timescales which are beyond the plan period, on the basis that: “The supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements…….” [NPPF para 77] and that “Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt” [NPPF para 85].

Full name: Mathew Cairns

Other party name (if relevant): N/A

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unjustified.

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

suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20. Avoid access to the B3179 as it will adversely impact the natural habitat of the pebblebeds and the dependant wildlife.

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

Full name: Alison Earp

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unsound.

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

precise as possible.: Reconsider the location of large housing allocations including Marlcombe, considering the known South East Devon strategic mitigation strategy.

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

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

Full name: Sophie Glanfield

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unsound. [attached evidence: SE Devon Mitigation Strategy Map 2]

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

suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Significantly reduce housing allocations for Exmouth given the unique local constraints

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

Full name: Sammy Glanfield

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unsound. [attached evidence: SE Devon Mitigation Strategy Map 2]

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

suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Significantly reduce housing allocations for Exmouth given the unique local constraints.

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

Full name: finn glanfield

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unsound. [attached evidence: SE Devon Mitigation Strategy Map 2]

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

suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce housing development in Exmouth in recognition of its limitations and constraints.

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

Full name: emily glanfield

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unsound.

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

precise as possible.: Significantly reduce housing allocation to Exmouth given the unique constraints.

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

Full name: Joe Glanfield

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unsound. [attached evidence: SE Devon Mitigation Strategy Map 2]

Full name: John Hamill

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unsound. [attached evidence: SE Devon Mitigation Strategy Map 2]

Full name: Alison Humphrey

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unjustified.

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

precise as possible.: Reduce allocation numbers for Exmouth especially in relation to the unsustainable sites (e.g. Exmo_20 and Exmo_17).

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

Full name: Margaret Leppard

Proposal:

3. The Spatial Strategy

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

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

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

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

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: Noted ..If Seaton is expected to be self- sufficient, please ensure the community hospital is re-opened

Full name: Billy reed

Proposal:

3. The Spatial Strategy

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

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

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

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

Full name: Nicholas Rorke

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unjustified.

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precise as possible.: Reduce the size of Exmo_20. Avoid access to the B3179 as it will adversely impact the natural habitat of the pebblebeds and the dependant wildlife.

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

Full name: Nicholas Rorke

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unjustified.

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

precise as possible.: Reduce the size of Exmo_20. Avoid access to the B3179 as it will adversely impact the natural habitat of the pebblebeds and the dependant wildlife.

Full name: Andrea Rorke

Proposal:

3. The Spatial Strategy

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

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unjustified.

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

Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the size of Exmo_20. Avoid access to the B3179 as it will adversely impact the natural habitat of the pebblebeds and the dependant wildlife.

Full name: Andrea Rorke

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unjustified.

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

precise as possible.: Consider reducing the size of Exmo_20 Avoid access to the B3179 as it will adversely impact the natural habitat of the pebblebeds and the dependant wildlife.

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

Full name: Thomas Shillitoe

Proposal:

3. The Spatial Strategy

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

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

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

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

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.: The figures in 3.11 are incorrect and not justified. The Spatial Strategy is based on the conclusion of the Sustainability Appraisal, which is reliant on the Site Selection Methodology. Therefore my comments are: Objection 1. It is not possible to follow the significant changes made to the Sustainability Appraisal, as there is no Schedule of Changes and no tracked changes version. I am therefore unable to make comments in accordance with the consultation requirements which states “Only make new representations if you are commenting on the specific changes listed in the Schedule of Changes, or if you did not respond to the first consultation”. The Schedule of Changes and a tracked changes version need to be made available and permitted to be consulted upon. [attached evidence: 2nd Regulation 19 consultation SA Commonplace page] Objection 2. There appears to be such significant changes to the Sustainability Appraisal that it is fundamentally a different document providing very different justification to the previous 1st Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This appraisal has been retrospectively written based on consultation feedback regarding its shortcomings. The decisions made prior cannot rely on a subsequently fabricated document to provide evidence to somehow inform decisions such that they change from unsound to sound. The retrospectively created Site Selection Methodology (v2 December 2024) is now significantly relied upon in a futile attempt by the LPA to provide justification. The Exmo_20 site’s inclusion in the draft Local Plan is unjustified and unsound. Objection 3. Exmo_20 should be marked blue “failed site sifting” on the map on page 384 as it was deemed unsuitable & unachievable in the HELAA and in accordance with the Site Selection Methodology (May 2022) failed site sifting. The site’s current inclusion in the draft Local Plan is unjustified and unsound. [attached evidence: Site Selection Methodology (May 2022)] Objection 4. Exmo_20 is falsely listed as a reasonable alternative on page 386 & 387.

Firstly, the site was deemed unsuitable and unachievable, not just unachievable as stated. There has been no evidence provided demonstrating that site access, minerals and proximity to the Pebblebed Heaths can be addressed, with the access arrangements and impacts on the Pebblebed Heaths SAC/SPA/SSSI reliant on a viable agreed mitigation strategy and supporting HRA which are both absent from the Local Plan evidence, notably the HRA being a required Core Submission Document. Also note that the Exmo_20 site was selected for inclusion in the Local Plan prior to the Appropriate Assessment, in conflict with the 'People over Wind' CJEU ruling. Furthermore, the Exmo_20 site as submitted for assessment in the HELAA was not available, but was not checked despite this being one of the three HELAA assessments. The site therefore in fact failed all three tests, and should be stated to have been found unsuitable, unachievable & unavailable. The site's current inclusion in the draft Local Plan is not legally complaint, unjustified and unsound. Objection 5. On page 390 the SA states " Sites on the north-eastern side of Exmouth, specifically Exmo_04, and Lymp_09, 10, 13, 14 and 17 lie especially close to the Pebblebed Heaths and as such development of these sites could lead to some of the greater adverse impacts and a large part of Site Exmo_04 falls within the existing 400 metre exclusion zone for development on account around domestic cat predation and recreation impacts". The 400m exclusion zone relates to urban effect, not "recreation impacts", demonstrating the LPA's (as the Competent Authority) misunderstanding of the Habitats Regulations. Recreational effects are dealt with by a wholly different assessment and different mitigation. On page 391 of the SA, Exmo_20 is considered but with no mention of "could lead to some of the greater adverse impacts" for the sites listed on p390, despite Exmo_20 being the largest site and closest (adjacent to) site to the Pebblebed Heaths SAC/SPA/SSSI, demonstrating an inconsistent assessment. The latest HRA currently states an "Inherent Conflict". There is now mention in the SA of the Strategic Nature Area and draft Nature Recovery Network but this has been added in further to the 1st regulation 19 consultation feedback and is material consideration in assessment of the site's allocation, in accordance with Paragraph 180 & 181 of the NPPF December 2023. These factors provide evidence to demonstrate the land's high biodiversity value to "establish coherent ecological networks", not least as a support habitat for the Section 41 Principle Importance species ground nesting Nightjar. The site's allocation needs to be reassessed with this evidence in mind, as currently the justification for its inclusion is unsound. Objection 6. On page 392 of the SA, Exmo_20 is stated as being 85Ha and a map of a site this size was shown to the Strategic Planning Committee on 3rd September 2024, who were attracted by the large size of the site and voted for that site to be included in the draft Local Plan. The evidence provided was false, as that site did not exist as it was not available, therefore the decision was unsound. The site available was significantly and materially smaller, such that the committee was misled and the decision is therefore invalid. Objection 7. On page 392 the SA states "The 400m buffer from the Pebblebed Heaths SPA/SAC coincides with the higher, more prominent parts of

Exmo_20, meaning built development will not be permitted in this area and so reducing adverse landscape effects to a minor negative." . The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, stating "No Built Development". The viability of the site allocation should be reassessed due to this 400m constraint further compounding the significant and material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024. Objection 8. On page 396 the SA states "The north eastern part of Exmo_20 is in a mineral safeguarding area, but this largely coincides with the 400m buffer from the Pebblebed Heaths SPA/SAC where development will not be allowed in any case." The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA's conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024. Objection 9. On page 399 the SA states, regarding mitigation measures, "Mitigate impact upon Exe Estuary and Pebblebed Heaths SPAs – to be considered in the Habitats Regulations Assessment, though for areas of Exmo_04 and 20 within 400 metres of the Pebblebed Heaths mitigation would not be seen as possible. Exmo_04 can be amended to exclude the most sensitive area, resulting in Exmo_04a." There is no justification or consistency in excluding part of Exmo_04 but not Exmo_20. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA's conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024. Objection 8. On page 396 the SA states "The north eastern part of Exmo_20 is in a mineral safeguarding area, but this largely coincides with the 400m buffer from the Pebblebed Heaths SPA/SAC where development will not be allowed in any case." The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA's conclusions, along with this additional 400m site

area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024. Objection 9. On page 399 the SA states, regarding mitigation measures, “Mitigate impact upon Exe Estuary and Pebblebed Heaths SPAs – to be considered in the Habitats Regulations Assessment, though for areas of Exmo_04 and 20 within 400 metres of the Pebblebed Heaths mitigation would not be seen as possible. Exmo_04 can be amended to exclude the most sensitive area, resulting in Exmo_04a.” There is no justification or consistency in excluding part of Exmo_04 but not Exmo_20. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA’s conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024.

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Use the correct May 2022 Site Selection Methodology to inform Policy, not the retrospectively created December 2024 version. Undertake a mitigation hierarchy assessment.

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The figures in 3.11 are incorrect and not justified. The Spatial Strategy is based on the conclusion of the Sustainability Appraisal, which is reliant on the Site Selection Methodology. Therefore my comments are: Objection 1. It is not possible to follow the significant changes made to the Sustainability Appraisal, as there is no Schedule of Changes and no tracked changes version. I am therefore unable to make comments in accordance with the consultation requirements which states “Only make new representations if you are commenting on the specific changes listed in the Schedule of Changes, or if you did not respond to the first consultation”. The Schedule of Changes and a tracked changes version need to be made available and permitted to be consulted upon. [attached evidence: 2nd Regulation 19 consultation SA Commonplace page] Objection 2. There appears to be such significant changes to the Sustainability Appraisal that it is fundamentally a different document providing very different justification to the previous

1st Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This appraisal has been retrospectively written based on consultation feedback regarding its shortcomings. The decisions made prior cannot rely on a subsequently fabricated document to provide evidence to somehow inform decisions such that they change from unsound to sound. The retrospectively created Site Selection Methodology (v2 December 2024) is now significantly relied upon in a futile attempt by the LPA to provide justification. The Exmo_20 site's inclusion in the draft Local Plan is unjustified and unsound. Objection 3. Exmo_20 should be marked blue "failed site sifting" on the map on page 384 as it was deemed unsuitable & unachievable in the HELAA and in accordance with the Site Selection Methodology (May 2022) failed site sifting. The site's current inclusion in the draft Local Plan is unjustified and unsound. [attached evidence: Site Selection Methodology (May 2022)] Objection 4. Exmo_20 is falsely listed as a reasonable alternative on page 386 & 387. Firstly, the site was deemed unsuitable and unachievable, not just unachievable as stated. There has been no evidence provided demonstrating that site access, minerals and proximity to the Pebblebed Heaths can be addressed, with the access arrangements and impacts on the Pebblebed Heaths SAC/SPA/SSSI reliant on a viable agreed mitigation strategy and supporting HRA which are both absent from the Local Plan evidence, notably the HRA being a required Core Submission Document. Also note that the Exmo_20 site was selected for inclusion in the Local Plan prior to the Appropriate Assessment, in conflict with the 'People over Wind' CJEU ruling. Furthermore, the Exmo_20 site as submitted for assessment in the HELAA was not available, but was not checked despite this being one of the three HELAA assessments. The site therefore in fact failed all three tests, and should be stated to have been found unsuitable, unachievable & unavailable. The site's current inclusion in the draft Local Plan is not legally complaint, unjustified and unsound. Objection 5. On page 390 the SA states " Sites on the north-eastern side of Exmouth, specifically Exmo_04, and Lymp_09, 10, 13, 14 and 17 lie especially close to the Pebblebed Heaths and as such development of these sites could lead to some of the greater adverse impacts and a large part of Site Exmo_04 falls within the existing 400 metre exclusion zone for development on account around domestic cat predation and recreation impacts". The 400m exclusion zone relates to urban effect, not "recreation impacts", demonstrating the LPA's (as the Competent Authority) misunderstanding of the Habitats Regulations. Recreational effects are dealt with by a wholly different assessment and different mitigation. On page 391 of the SA, Exmo_20 is considered but with no mention of "could lead to some of the greater adverse impacts" for the sites listed on p390, despite Exmo_20 being the largest site and closest (adjacent to) site to the Pebblebed Heaths SAC/SPA/SSSI, demonstrating an inconsistent assessment. The latest HRA currently states an "Inherent Conflict". There is now mention in the SA of the Strategic Nature Area and draft Nature Recovery Network but this has been added in further to the 1st regulation 19 consultation feedback and is material consideration in assessment of the

site's allocation, in accordance with Paragraph 180 & 181 of the NPPF December 2023. These factors provide evidence to demonstrate the land's high biodiversity value to "establish coherent ecological networks", not least as a support habitat for the Section 41 Principle Importance species ground nesting Nightjar. The site's allocation needs to be reassessed with this evidence in mind, as currently the justification for its inclusion is unsound. Objection 6. On page 392 of the SA, Exmo_20 is stated as being 85Ha and a map of a site this size was shown to the Strategic Planning Committee on 3rd September 2024, who were attracted by the large size of the site and voted for that site to be included in the draft Local Plan. The evidence provided was false, as that site did not exist as it was not available, therefore the decision was unsound. The site available was significantly and materially smaller, such that the committee was misled and the decision is therefore invalid. Objection 7. On page 392 the SA states "The 400m buffer from the Pebblebed Heaths SPA/SAC coincides with the higher, more prominent parts of Exmo_20, meaning built development will not be permitted in this area and so reducing adverse landscape effects to a minor negative." . The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, stating "No Built Development". The viability of the site allocation should be reassessed due to this 400m constraint further compounding the significant and material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024. Objection 8. On page 396 the SA states "The north eastern part of Exmo_20 is in a mineral safeguarding area, but this largely coincides with the 400m buffer from the Pebblebed Heaths SPA/SAC where development will not be allowed in any case." The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA's conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024. Objection 9. On page 399 the SA states, regarding mitigation measures, "Mitigate impact upon Exe Estuary and Pebblebed Heaths SPAs – to be considered in the Habitats Regulations Assessment, though for areas of Exmo_04 and 20 within 400 metres of the Pebblebed Heaths mitigation would not be seen as possible. Exmo_04 can be amended to exclude the most sensitive area, resulting in Exmo_04a." There is no justification or consistency in excluding part of Exmo_04 but not Exmo_20. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to

inability to construct the proposed access road without direct conflict with the SA's conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024. Objection 8. On page 396 the SA states "The north eastern part of Exmo_20 is in a mineral safeguarding area, but this largely coincides with the 400m buffer from the Pebblebed Heaths SPA/SAC where development will not be allowed in any case." The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA's conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024. Objection 9. On page 399 the SA states, regarding mitigation measures, "Mitigate impact upon Exe Estuary and Pebblebed Heaths SPAs – to be considered in the Habitats Regulations Assessment, though for areas of Exmo_04 and 20 within 400 metres of the Pebblebed Heaths mitigation would not be seen as possible. Exmo_04 can be amended to exclude the most sensitive area, resulting in Exmo_04a." There is no justification or consistency in excluding part of Exmo_04 but not Exmo_20. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA's conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Use the correct May 2022 Site Selection Methodology to inform Policy, not the retrospectively created December 2024 version. Undertake a mitigation hierarchy assessment.

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

4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The proposed air quality mitigation strategy (not yet known) has potential implications for the viability of neighbouring authorities such as Exeter and Teignbridge. The current recreational impacts mitigation strategy catchment area includes these authorities. [map showing recreational impacts mitigation strategy catchment areas]

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The proposed air quality mitigation strategy (not yet known) has potential implications for the viability of neighbouring authorities such as Exeter and Teignbridge. The current recreational impacts mitigation strategy catchment area includes these authorities. [map showing recreational impacts mitigation strategy catchment areas]. I cannot comment further until the air quality mitigation strategy is known.

Full name: Thomas Shillitoe

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified

above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Use the actual Site Selection Methodology, not the retrospectively created fabricated one. Undertake a Mitigation Hierarchy assessment.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To understand why the Site Selection Methodology was switch. To understand why EDDC believes a Mitigation Hierarchy assessment is not required.

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unsound.

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

unique local constraints. Reconsider the location of large housing allocations including Marlcombe, considering the known SE Devon strategic mitigation strategy.

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

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

Full name: ANDREW TILDESLEY

Organisation (where relevant): Copperfield

Other party name (if relevant): Devon County Agricultural Association

Proposal:

3. The Spatial Strategy

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

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

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

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

2(a). If yes, and you wish to support the legal compliance of this part of the Spatial Strategy chapter, please use this box to set out your comments.: This representation does not deal with a matter of legal compliance, if is focused on matters of soundness.

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

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: DCAA Representation 3 – Policy Support for Spatial Strategy SP01 Prior to the publication of the first Reg 19 Local Plan the DCAA had no direct contact with East Devon Council. As such these are the first formal representations made by the DCAA.

Whilst the organisation has specific concerns relating to the impacts of the WS01 Policy for Marlcombe (see Representation 2) they would like to confirm their overall support for East Devon Council in meeting the vision and objectives of the emerging Local Plan through delivery of Policy SP01 Spatial Strategy whilst maintaining the Local Plan vision including Para 2.6 (page 21) which states that: “Rural East Devon will retain its outstanding charm and character with modest and sensitively planned development to meet the needs of local communities. Farming and rural activities will still dominate the use of land.”

The DCAA welcome a constructive working relationship with the Local Plans Team and we would be pleased to meet to discuss an opportunity to address our concerns in any future Local Plan publication or through the EIP process itself.

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

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The DCAA and the operation of the Devon County Showground is the South West's premier venue for large-scale events and is of significant importance both socially and economically .

The DCAA wishes to engage in the hearing sessions to ensure that the concerns relating to the Local Plan and the New Town allocation at Marlcombe, which has potential significant effects on the long term future of this vital facility are understood.

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

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

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

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

2(a). If yes, and you wish to support the legal compliance of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: This representation does not deal with a matter of legal compliance, if is focused on matters of soundness.

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

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: DCAA Representation 3 – Policy Support for Spatial Strategy SP01 Prior to the publication of the first Reg 19 Local Plan the DCAA had no direct contact with East Devon Council. As such these are the first formal representations made by the DCAA.

Whilst the organisation has specific concerns relating to the impacts of the WS01 Policy for Marlcombe (see Representation 2) they would like to confirm their overall support for East Devon Council in meeting the vision and objectives of the emerging

Local Plan through delivery of Policy SP01 Spatial Strategy whilst maintaining the Local Plan vision including Para 2.6 (page 21) which states that: “Rural East Devon will retain its outstanding charm and character with modest and sensitively planned development to meet the needs of local communities. Farming and rural activities will still dominate the use of land.”

The DCAA welcome a constructive working relationship with the Local Plans Team and we would be pleased to meet to discuss an opportunity to address our concerns in any future Local Plan publication or through the EIP process itself.

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

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The DCAA and the operation of the Devon County Showground is the South West's premier venue for large-scale events and is of significant importance both socially and economically .

The DCAA wishes to engage in the hearing sessions to ensure that the concerns relating to the Local Plan and the New Town allocation at Marlcombe, which has potential significant effects on the long term future of this vital facility are understood.

Full name: Rachel Danemann

Organisation (where relevant): Home Builders Federation

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy.

HBF does not comment on individual sites, other than to say the Plan should provide for a wide range of deliverable and developable sites across the area in order to provide competition and choice to ensure that housing needs are met in full. The soundness of strategic and non-strategic site allocations, whether brownfield or greenfield, will be tested in due course at the Local Plan Examination.

The spatial strategy seeks to concentrate development in the West End and this new Reg 19 consultation is focused on the proposals around the proposed new settlement. HBF would suggest that the inclusion of a new settlement within a Plan is a key part of the spatial strategy and informs the spatial distribution of the whole Plan. The inclusion or exclusion [of] any new settlement has implications for the rest of the Plan, the Sustainability Appraisal assessment work and the evidence base of the plan. It is a key part of the Plan's approach to its spatial strategy. As such, in our view, this Plan had not reached this second Reg 19 before 12 March 2025 and as such cannot benefits from the provisions in the transitional arrangements that allow the Plan to progress if it is delivering at least 80% of the standard method. It should be at the very least planning for 100%. Indeed, for reasons detailed more fully elsewhere in our representations HBF would argue that East Devon’s housing requirement should be higher.

As set out earlier, in our concerns about legal compliance section, in the HBF's view the housing requirement is too low and such additional development will be needed. This will require the allocation of additional sites across East Devon in order for the Plan to be sound.

The spatial strategy of the Plan should also recognise that there may be clusters of villages that provide a range of services for that area within reasonable travelling distance of each other, so villages may need to be grouped together. These areas might be able to sustainably support a substantial level of development but may not have all the services within one particular village.

Similarly, the Plan should recognise that settlements that currently do not have services could expand to include those services if new development is allocated in those areas. The current range of village services should not be used as a basis for only locating development close to existing services, it could in fact also identify where services could be improved through new development. Allocating housing sites in rural areas can also provide opportunities for small sites which are particularly helpful for SME builders.

HBF do not comment on individual sites. We would however expect the spatial strategy to follow a logical hierarchy that provides an appropriate development pattern and supports sustainable development within all market areas. HBF would request that the Plan's approach to the distribution of housing should ensure the availability of a sufficient supply of deliverable and developable land to deliver the housing requirement in full.

HBF also notes that new settlements and large urban extensions can have long lead times. Reliance on one (or more) new settlement(s) and/or urban extension(s) for housing delivery may mean delivery from these sources will occur later on in the Plan period. This increases the importance of the need for a range of other sites to be provided to ensure a Five-Year Land Supply and early delivery of much needed housing. It will be important for policies and allocation in the Plan to provide for a range of housing sites, and as such the site selection methodology needs to reflect this.

Therefore, although HBF do not comment on specific site allocations, we continue to find this policy is unsound because additional housing allocations are required. We are

of the view, for the reasons detailed elsewhere in our representation, and so not repeated here, there need to be more housing allocations. This will necessarily impact on the spatial strategy of the Plan.

HBF would also request that the wording of this policy should clearly set out the different components that make up the housing supply, where it is to be located, and when it will be delivered, in much the same way this issue has been addressed in the policy for Employment Land delivery in Strategic Policy SP04: Employment provision and distribution strategy. This would go some way to addressing our concerns about the lack of clarity of the housing delivery pipeline, sources of supply, and how this links into the Monitoring Framework, which we have raised in relation to other policies in the Plan and the overall approach to housing that the Council is pursuing.

The Plan needs to properly recognise the role of the new community both within the Plan period for this Plan, and beyond it. The housing trajectory should clearly set this out and specifically identify how much housing per year will be delivered via the new settlement. It will be important that the assumptions that support these conclusions are clearly set out and the figures are developed in conjunction with the development to ensure they are realistic and deliverable.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: the Plan's approach to the distribution of housing should ensure the availability of a sufficient supply of deliverable and developable land to deliver the housing requirement in full.

It will be important for policies and allocation in the Plan to provide for a range of housing sites, and as such the site selection methodology needs to reflect this.

the allocation of additional sites across East Devon.

The spatial strategy of the Plan should also recognise that there may be clusters of villages that provide a range of services for that area within reasonable travelling distance of each other, so villages may need to be grouped together. These areas might

be able to sustainably support a substantial level of development but may not have all the services within one particular village.

Similarly, the Plan should recognise that settlements that currently do not have services could expand to include those services if new development is allocated in those areas. The current range of village services should not be used as a basis for only locating development close to existing services, it could in fact also identify where services could be improved through new development. Allocating housing sites in rural areas can also provide opportunities for small sites which are particularly helpful for SME builders.

Organisation (where relevant): Environment Agency

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Several policies within the plan are reliant upon the Water Cycle Study (WCS) to evidence that the growth associated with them will not have either an unacceptable detrimental effect on water quality, or will be serviced by adequate water resource. We consider that the WCS is not evidence-led, and makes conclusions which are not supported by the data and is therefore inadequate to inform the plan. As a result, the EA regard policies SP01: Spatial strategy, Strategic Policy SP07: Delivery of infrastructure, Strategic Policy SP08: Phased Delivery of Infrastructure and Services, Strategic Policy PB01: Protection of internationally and nationally important wildlife sites, PB02: Protection of regionally and locally important wildlife sites, WS01: Development of Marlcombe new community east of Exeter and AR02: Water quality and efficiency to be unsound insofar as they are not positively prepared, justified or consistent with national policy.

Full name: Steve Havers

Organisation (where relevant): National Highways

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The plan vision outlines that the western side of East Devon will continue to be a focal point for growth, with Marlcombe and wider growth located on the urban fringe of Exeter and the M5 corridor. Approximately half of all new homes are planned at the West End, and the Spatial Strategy (Strategic Policy 01) focusses new employment development in and around the Enterprise Zone, Exeter Airport and the M5. We previously highlighted that whilst the West End location offers the potential to capitalise on existing transport links and connections into Exeter, potential impacts for the SRN need to be fully considered.

SP02

Full name: David Pickhaver

Organisation (where relevant): Torbay Council

Other party name (if relevant): Torbay Council

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Briefing Note Subject: East Devon Local Plan (Second Regulation 19 Consultation) - Potential implications for Torbay Council and Spatial Development Strategy.

1. Summary and Recommended Approach This note recommends a draft response to East Devon District Council's (EDDC) Local Plan, which is at Regulation 18 Stage. Torbay and EDDC officers will need to agree a Statement of Common Ground on each other's Plans. On the basis of the assessment below, it is recommended that:

- Torbay Council maintains its position with EDDC that it is unable to meet its LHN, due to the high level of environmental constraints and lack of developable land that Torbay faces.

- That Torbay Council acknowledges that East Devon and Torbay officers have engaged in ongoing discussions and that "Duty to Cooperate" legal tests have been addressed.

- Nevertheless, meeting unmet needs remains a Test of Soundness and Presumption in favour of Sustainable Development issue that Plan makers and Inspectors must consider; and Torbay has identified this in its duly made Reg 19 representations.

- Torbay and EDDC should prepare a Statement of Common Ground that meeting the sum of Local Housing Needs is a strategic matter that should be addressed in the

forthcoming Spatial Development Strategy or the next review of their Local Plans. This should refence the approach taken by the Teignbridge Inspectors.

- However, if Inspectors are not minded to support this approach, Torbay must maintain its position that environmental constraints (and a lack of developable land) prevent it from meeting the LHN figure and a requirement remains under Paragraphs 11 and 36 of the (2024) NPPF for neighbours to accommodate it.

2. Background Torbay has indicated to neighbour authorities that it cannot meet government housing targets. This has been the case since 2018 when the Standard Method Local Housing Need (LHN) was introduced. It is brought into sharper relief by an increased LHN figure introduced as a mandatory minimum ("binding housing target") in the December 2024 NPPF. The matter affects the Duty to Cooperate and the Tests of Soundness and Plan Making Presumption and therefore goes to the heart of Local Plans currently being prepared by Torbay and neighbouring councils. Councils must prepare Statements of Common Ground to demonstrate how cross-boundary matters are being met in plan making. Torbay has previously argued that its population and household growth arises from subregional domestic migration and not local household formation, and therefore the issue should be addressed on a sub-regional basis. The Planning and Infrastructure Act 2025 introduced Spatial Development Strategies with the prospect of local housing need being assessed at a strategic level (i.e. the sum of each area's LHN will have to be assessed and redistributed on the basis of factors such as environmental constraints, economic need and infrastructure capacity). It is recommended that Torbay makes the case that issues of unmet need should be resolved through the SDS, and/or early review of local plans. This would allow the current round of Local Plans to proceed to adoption without a clear agreement about how Torbay's unmet need can be met. This is the broad approach taken by the Teignbridge Local Plan Inspectors, and in the Statement of Common Ground agreed with Exeter City Council for its upcoming Examination. However, East Devon District Council has raised objections to the draft Torbay Local Plan (see below). EDDC's own Local Plan is at Regulation 19 (Publication Plan stage). Torbay previously made an officer level representation that East Devon should consider its ability to meet some of Torbay's unmet need. EDDC has not accepted the need for it to do so (see below). It is recommended that Torbay Council should maintain its objection to East Devon's Second Regulation 19 Local Plan Consultation which runs until 26th January 2026. However, discussions have taken place between Torbay and EDDC officers and the "Duty to Cooperate" is not a "duty to agree". It is recommended that Officers work to agree a joint statement of common ground with EDDC that unmet needs should be resolved through SDSs and early reviews of Local Plans. This gives both Torbay and East Devon the best chance of progressing Local Plans under the "legacy" system which will provide a level of certainty and protection from speculative development. Spatial Development Strategies, Local Government Reorganisation and the rewritten NPPF may

reshape the planning and political landscape in the medium term. Adopting Local Plans in the interim will provide a level of security pending these transformational changes.

2. Further Information The Government is seeking to achieve nationwide Local Plan coverage as quickly as possible. East Devon, Exeter, Teignbridge and Torbay are all seeking to submit Local Plans under the "legacy system" of the Planning and Compulsory Puchase Act 2004/ Local Planning Regulations 2012. Teignbridge District Council is at Main Modifications Stage (following Examination). Exeter City Council has an Examination commencing in Spring 2026. East Devon is carrying out a second regulation 19 consultation (until 26th January 2026) and intends to submit its Local Plan in Spring/Early Summer 2026. Torbay Council is at Regulation 18 (Issues and Options) stage and needs to agree a Regulation 19 Publication Plan for consultation by July at the latest, in order to be able to meet the Government's deadline for submission of December 2026. East Devon is not contiguous to Torbay (being separated by Teignbridge and Exeter District Councils), and therefore there are unlikely to be direct infrastructure impacts. However, East Devon is part of the adjoining Greater Exeter Housing Market Area (along with Exeter, Teignbridge and Mid Devon) which does adjoin Torbay. The main cross-boundary issue between Torbay and East Devon is that Torbay is unable to meet its Local Housing Need as calculated by the Government's binding Standard Method. The East Devon Local Plan proposes an average of 950 dwellings a year (with a stepped trajectory of 850dpa between 202/1-and 2031/2 building up to 1070 dpa thereafter). This is 80% of EDDC's Standard Method LHN at December 2024, so is the minimum level of housing required to meet the NPPF's requirements. Torbay has identified with neighbours that it cannot meet its housing need and made representations to this effect on the previous (Regulation 18 and 19) versions of East Devon Local Plan. This is a Test of Soundness issue for both the East Devon and Torbay Local Plans. EDDC has prepared a draft Duty to Cooperate Statement csd-010b-socg-on-housing-employment-and-site-allocations.pdf which addresses whether there is scope for East Devon to meet neighbour areas' need and records Torbay's request as well as previous requests in 2022

5.12 East Devon has no shared border with Torbay and is separated from it (on land) by Exeter City Council and Teignbridge District Council. The submission Teignbridge Local Plan7 , which borders Torbay, included a policy (H1) on meeting possible unmet housing needs from neighbouring authorities. However, the Inspectors advice8 was that it would be better to include explanatory text to explain that, in the event of housing not being delivered in accordance with the plan, or if the identified needs for new homes were to change, the requirements of legislation and national policy/guidance in respect of the need for a review/update of the plan would be followed. This approach was incorporated into the main modifications of the plan. Similar text has been added to the second East Devon Regulation 19 plan as set out in paragraph 5.5 (Dorset) of this paper.

However, given the physical separation between Torbay and East Devon, it may be difficult for Torbay to justify how the provision of additional housing within East Devon could meet the Torbay housing requirement. Furthermore, the environmental and other constraints of building additional housing in East Devon, rather than in or closer to Torbay, to meet a Torbay requirement would need to be properly investigated, considered and justified.

EDDC has previously objected that Torbay has not made a sufficient case to justify that it is unable to meet its Local Housing Need, and is maintaining this position at the current Torbay Local Plan (third Regulation 18 stage). Agenda for Strategic Planning Committee on Tuesday, 6th January, 2026, 10.00 am - East Devon. It considers that (1) Torbay has not been sufficiently proactive in seeking to boost housing numbers. (2) Torbay has not raised a challenge about the statistical robustness of the Standard Method. (3) Torbay has not set out a justification that need arising from Torbay could be met in East Devon given their non-contiguous locations; and (4) East Devon also has significant environmental constraints including National Landscape (AONB), Habitats Regulations and transport issues. In response to these, it is accepted that Torbay is at Regulation 18 (i.e. the earlier stage of consultation than East Devon) and will produce a topic paper in support of its Submission Local Plan. However, the draft Torbay Local Plan has taken a no-stone left unturned approach to identifying housing land and is currently receiving objections from several landowners of allocated sites. Torbay Council is being very proactive at seeking to regenerate town centres and areas with good transport links. There will be an opportunity to reconsider housing options as part of the preparation of the Regulation 19 Local Plan, and particularly to consider the implications of the draft NPPF (and its "Presumption in Favour of Development in Sustainable Locations"). Torbay agrees with the suggestion in EDDC's response that the Standard Method is statistically flawed. However, as its officers will know, there is no scope in the 2024 NPPF to challenge the Standard Method as the binding assessment of minimum need. The draft 2025 NPPF reiterates its binding nature. As shown in Figure 1,The projected population growth for all of Devon arises from domestic inwards migration. With no migration, Torbay's population is projected to decline by over a thousand people per year over the next decade, and EDDC's by over 450. Figure 1 Drivers Of Devons' Projected Population Growth (2022 Based Sub National Population Projections (2025, migration model).

It is noted that EDDC's population and household growth is projected to be the highest in Devon and has environmental constraints especially in the east of the district. (see Appendix 1 where more population and constraints information is included for information). Nevertheless, Torbay is not asking EDDC to accommodate Torbay

households, but rather a wider need arising from a wider inter-regional pattern of population movement. Disagreement between Torbay and EDDC about where unmet need should be located is an issue for both Local Plans, but really raises issues of wider sub-regional significance. The Government, through MHCLG announced in the Planning & Infrastructure Bill the emergence of new Spatial Development Strategies across the country. The introduction of a system of strategic planning is particularly welcome and is realistically the only way in which the distribution of unmet housing need across the area can be met. SDSs will distribute broad housing numbers across authorities and will set broad development locations (but not specific sites). This will be a challenging issue for local authorities but at least allows matters of sub-regional growth to be considered at an appropriate strategic level.

Teignbridge Local Plan Teignbridge Local Plan is currently at Main Modification stage following Examination. Torbay and TDC officers had agreed a mechanism whereby Teignbridge would allocate additional housing sites to meet Torbay's unmet need, once the scale of this was identified. dtc-003-addressing-torbay-s-unmet-need.pdf However, the Teignbridge Local Plan Inspectors have removed this mechanism (Main Modification 102) on the basis that it should be dealt with at first review of the Teignbridge Local Plan. See paragraph 6-7 of the Inspectors' Initial Advice Letter id-22-teignbridge-post-hearing-letter.pdf

By way of context the old and new Standard Method LHN, and recent delivery (as they stood at December 2024) are set out below. This shows that all of Devon is struggling to meet the new LHN figure, and most have undershot the previous LHN figure. This also raises wider issues that can realistically only be addressed through the SDS. Figure 2 Previous and Revised Local Housing Need and Recent Housing Delivery at December 2024.

3. Appendices The most recent population and household projections were published by ONS in 2025 and take 2022 as a base year but consider the most recent migration data. Although the Standard Method now uses housing stock as the starting point for calculation housing need, population and household projections remain relevant for plan making. Figure A1 Projected Population Change in Devon 2026-35 (2022 Based Sub National Population Projections- (latest) Migration Model. Published 2025.

	Population at 2022	Population at 2026	Population at 2035	Change 2026-35	
	% Pop increase 2022-35 Torbay	139,409	141,541	145,735	
	4,194	3.0 Teignbridge	135,972	141,002	150,361	9,360	6.9
East Devon	154,374	163,464	180,338	16,874	10.9 Exeter	134,811	
	141,493	148,141	6,648	4.9 Mid Devon	83,812	87,357	93,717
	6,360	7.6 Plymouth	267,063	273,157	277,908	4,751	1.8 West
Devon	58,212	60,124	63,890	3,767	6.5 South Hams	89,808	93,590	100,086	
	6,496	7.2 Torridge	68,664	70,434	74,018	3,584	5.2 North Devon	100,455	
	104,791	112,392	7,601	7.6			

Figure A3 Maps East Devon's NPPF Footnote 7 constraints that may provide a "strong reason" why it is unable to accommodate development. Consideration of this is a matter for EDDC but it is noted that the most constrained area is the east of the District.
A3 East Devon District – NPPF Footnote 7 Constraints (not including local designations)

Source: East Devon Local Plan Interactive Policies Map.

Figure A4 Torbay's Representation to EDDC's first Regulation 19 consultation: From: *** Personal details have been removed *** Sent: 28 March 2025 12:48 To: Local Plan <LocalPlan@eastdevon.gov.uk> Cc: *** Personal details have been removed *** Subject: East Devon Local Plan

Dear *** Personal details have been removed *** and East Devon colleagues I refer to the East Devon Local Plan -Regulation 19 Consultation. On a personal level, reaching Reg 19 Pre Submission stage is a considerable achievement – so well done to the team for your hard work and perseverance to getting the Plan to this stage. Clearly, the local planning system is in a state of change with the implications of the Levelling Up and Regeneration Act, the Planning and Infrastructure Bill and Local Government Reorganisation all likely to affect spatial planning across Devon. I also appreciate that cross-boundary issues are being discussed at Senior Officer and Member level. This email is not intended to cut across, or prejudice these issues. Nevertheless, since East Devon has opted prepare its Local Plan under the transitional arrangements set out in Paragraph 234 of the (2024) NPPF, it is necessary for me to make an officer level representation of the Local Plan on behalf of Torbay Council. Please can this email be treated as a duly made representation under Regulation 19. Given that the issues are more properly addressed through our mutual Duty to Cooperate/ Statements of Common Ground, I considered that an email was a more useful tool than the Commonplace Form. Torbay Council has repeatedly advised neighbour councils in the adjoining Housing Market Areas /Functional Economic Market Areas that Torbay will not be able to meet the local housing need target set by the Government's Standard Method. This is dues to NPPF footnote 7 constraints that provide a strong reason for restricting the overall scale of development that Torbay can accommodate. This is likely to apply to LHN calculated by either the previous or most recent Standard Method; although the 2024 Standard Method has exacerbated the shortfall. The main driver of housing growth in Devon, and Torbay in particular, is domestic inwards migration into the sub-region and should be addressed at a larger than local level. The two most relevant areas are Greater Exeter and the Plymouth Joint Local Plan. Although Torbay and East Devon are not contiguous, East Devon is within the Greater Exeter HMA/FEMA. In this context, it is disappointing that the Regulation 19 East Devon Local Plan makes no reference to unmet housing need from Torbay. Nor does the 2022 ORS housing need evidence appear to make reference to Torbay, even though the predecessor study was carried out across both HMAs. The issue of unmet housing needs from adjoining areas is part of the Presumption in Favour of Sustainable Development at paragraph 11(b) and a Test of Soundness at paragraph 36 (formerly 35) of the Framework. It is further noted in paragraph 62. Whilst I realise that the transitional arrangements at paragraph 234 of the Framework allow the Plan to be considered under the "relevant previous version of the framework", you will be aware that the Duty to Cooperate is a legal duty, and has bee reiterated by recent Ministerial Statements by the Secretary of State. This is alongside the expanded text at paragraphs 24-28 of the Framework. The additions to paragraph 28 may be especially relevant. East Devon's effective housing target is set out in Policy SP02 for 20,909 net new dwellings from 2030-42, with a stepped delivery of 850 dwellings per annum between 2020/21-2031/32, increasing to 1070 dpa from 2032/33 to 2041/42. According to my calculations East Devon's LHN at 2023 was 893 dwellings

per year; rising to 1,188dpa under the 2024 Standard Method. This appears to be within the tolerances of the NPPF transitional arrangements, but makes no allowance for unmet need from neighbours. Torbay looks forward to working with East Devon to address these issues under the Duty to Cooperate/Statement of Common Ground. However, as the East Devon Local Plan is at Regulation 19, I must raise a holding objection that no account has been made about the need to accommodate unmet needs from neighbouring areas, specifically Torbay. I am happy to discuss, and understand that the matter is also being discussed at a more senior level. Kind regards *** Personal details have been removed ***

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

Full name: David Pickhaver

Organisation (where relevant): Torbay Council

Other party name (if relevant): Torbay Council

Proposal:

3. The Spatial Strategy

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

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

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

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: Figure A3 Maps East Devon's NPPF Footnote 7 constraints that may provide a "strong reason" why it is unable to accommodate development. Consideration of this is a matter for EDDC but it is noted that the most constrained area is the east of the District. The Government is seeking to achieve nationwide Local Plan coverage as quickly as possible. East Devon, Exeter, Teignbridge and Torbay are all seeking to submit Local Plans under the "legacy system" of the Planning and Compulsory Puchase Act 2004/ Local Planning Regulations 2012. Teignbridge District Council is at Main Modifications Stage (following Examination). Exeter City Council has an Examination commencing in Spring 2026. East Devon is carrying out a Torbay Local Plan Working Party 30th January 2026. Torbay and East Devon Local Plans. 3 second regulation 19 consultation (until 26th January 2026) and intends to submit its Local Plan in Spring/Early Summer 2026. Torbay Council is at Regulation 18 (Issues and Options) stage and needs to agree a Regulation 19 Publication Plan for consultation by July at the latest, in order to be able to meet the Government's deadline for submission of December 2026. East Devon is not contiguous to Torbay (being separated by Teignbridge and Exeter District Councils), and therefore there are unlikely to be direct infrastructure impacts. However, East Devon is part of the adjoining Greater Exeter Housing Market Area (along with Exeter, Teignbridge and Mid Devon) which does adjoin Torbay. The main cross-boundary issue between Torbay and East Devon is that Torbay is unable to meet its Local Housing Need as calculated by the Government's binding Standard Method. The East Devon Local Plan proposes an average of 950 dwellings a year (with a stepped trajectory of 850dpa between 202/1-and 2031/2 building up to 1070 dpa thereafter). This is 80% of EDDC's Standard Method LHN at December 2024, so is the minimum level of housing required to meet the NPPF's requirements. Torbay has identified with neighbours that it cannot meet its housing need and made representations to this effect on the previous

(Regulation 18 and 19) versions of East Devon Local Plan. This is a Test of Soundness issue for both the East Devon and Torbay Local Plans. EDDC has prepared a draft Duty to Cooperate Statement csd-010b-socg-on-housing-employment-and-site-allocations.pdf which addresses whether there is scope for East Devon to meet neighbour areas' need and records Torbay's request as well as previous requests in 2022

Torbay has indicated to neighbour authorities that it cannot meet government housing targets. This has been the case since 2018 when the Standard Method Local Housing Need (LHN) was Briefing Note Torbay Local Plan Working Party 30th January 2026. Torbay and East Devon Local Plans. 2 introduced. It is brought into sharper relief by an increased LHN figure introduced as a mandatory minimum ("binding housing target") in the December 2024 NPPF. The matter affects the Duty to Cooperate and the Tests of Soundness and Plan Making Presumption and therefore goes to the heart of Local Plans currently being prepared by Torbay and neighbouring councils. Councils must prepare Statements of Common Ground to demonstrate how cross-boundary matters are being met in plan making. Torbay has previously argued that its population and household growth arises from subregional domestic migration and not local household formation, and therefore the issue should be addressed on a sub-regional basis. The Planning and Infrastructure Act 2025 introduced Spatial Development Strategies with the prospect of local housing need being assessed at a strategic level (i.e. the sum of each area's LHN will have to be assessed and redistributed on the basis of factors such as environmental constraints, economic need and infrastructure capacity). It is recommended that Torbay makes the case that issues of unmet need should be resolved through the SDS, and/or early review of local plans. This would allow the current round of Local Plans to proceed to adoption without a clear agreement about how Torbay's unmet need can be met. This is the broad approach taken by the Teignbridge Local Plan Inspectors, and in the Statement of Common Ground agreed with Exeter City Council for its upcoming Examination. However, East Devon District Council has raised objections to the draft Torbay Local Plan (see below). EDDC's own Local Plan is at Regulation 19 (Publication Plan stage). Torbay previously made an officer level representation that East Devon should consider its ability to meet some of Torbay's unmet need. EDDC has not accepted the need for it to do so (see below). It is recommended that Torbay Council should maintain its objection to East Devon's Second Regulation 19 Local Plan Consultation which runs until 26th January 2026. However, discussions have taken place between Torbay and EDDC officers and the "Duty to Cooperate" is not a "duty to agree". It is recommended that Officers work to agree a joint statement of common ground with EDDC that unmet needs should be resolved through SDSs and early reviews of Local Plans. This gives both Torbay and East Devon the best chance of progressing Local Plans under the "legacy" system which will provide a level of certainty

and protection from speculative development. Spatial Development Strategies, Local Government Reorganisation and the rewritten NPPF may reshape the planning and political landscape in the medium term. Adopting Local Plans in the interim will provide a level of security pending these transformational changes.

This note recommends a draft response to East Devon District Council's (EDDC) Local Plan, which is at Regulation 18 Stage. Torbay and EDDC officers will need to agree a Statement of Common Ground on each other's Plans. On the basis of the assessment below, it is recommended that:

• Torbay Council maintains its position with EDDC that it is unable to meet its LHN, due to the high level of environmental constraints and lack of developable land that Torbay faces.

• That Torbay Council acknowledges that East Devon and Torbay officers have engaged in ongoing discussions and that "Duty to Cooperate" legal tests have been addressed.

• Nevertheless, meeting unmet needs remains a Test of Soundness and Presumption in favour of Sustainable Development issue that Plan makers and Inspectors must consider; and Torbay has identified this in its duly made Reg 19 representations.

• Torbay and EDDC should prepare a Statement of Common Ground that meeting the sum of Local Housing Needs is a strategic matter that should be addressed in the forthcoming Spatial Development Strategy or the next review of their Local Plans. This should refence the approach taken by the Teignbridge Inspectors.

• However, if Inspectors are not minded to support this approach, Torbay must maintain its position that environmental constraints (and a lack of developable land) prevent it from meeting the LHN figure and a requirement remains under Paragraphs 11 and 36 of the (2024) NPPF for neighbours to accommodate it.

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Since this was drafted, Torbay Council has received a letter from the Housing Minister expressing concern that Torbay's proposed housing figure is 42% of Local Housing Need and reiterating that if Torbay is unable to meet its need , it is important to establish how needs might be met in adjoining areas through the process of preparing statements of common ground. , I acknowledge that there have been several officer level meetings and discussions on this matter, and I have not raised Duty to Cooperate objections I refer to the East Devon Local Plan -Regulation 19 Consultation. On a personal level, reaching Reg 19 Pre Submission stage is a considerable achievement – so well done to the team for your hard work and perseverance to getting the Plan to this stage. Clearly, the local planning system is in a state of change with the implications of the Levelling Up and Regeneration

Act, the Planning and Infrastructure Bill and Local Government Reorganisation all likely to affect spatial planning across Devon. I also appreciate that cross-boundary issues are being discussed at Senior Officer and Member level. This email is not intended to cut across, or prejudice these issues. Nevertheless, since East Devon has opted prepare its Local Plan under the transitional arrangements set out in Paragraph 234 of the (2024) NPPF, it is necessary for me to make an officer level representation of the Local Plan on behalf of Torbay Council. Please can this email be treated as a duly made representation under Regulation 19. Given that the issues are more properly addressed through our mutual Duty to Cooperate/ Statements of Common Ground, I considered that an email was a more useful tool than the Commonplace Form. Torbay Council has repeatedly advised neighbour councils in the adjoining Housing Market Areas /Functional Economic Market Areas that Torbay will not be able to meet the local housing need target set by the Government's Standard Method. This is dues to NPPF footnote 7 constraints that provide a strong reason for restricting the overall scale of development that Torbay can accommodate. This is likely to apply to LHN calculated by either the previous or most recent Standard Method; although the 2024 Standard Method has exacerbated the shortfall. The main driver of housing growth in Devon, and Torbay in particular, is domestic inwards migration into the sub-region and should be addressed at a larger than local level. The two most relevant areas are Greater Exeter and the Plymouth Joint Local Plan. Although Torbay and East Devon are not contiguous, East Devon is within the Greater Exeter HMA/FEMA. In this context, it is disappointing that the Regulation 19 East Devon Local Plan makes no reference to unmet housing need from Torbay. Nor does the 2022 ORS housing need evidence appear to make reference to Torbay, even though the predecessor study was carried out across Torbay Local Plan Working Party 30th January 2026. Torbay and East Devon Local Plans. 10 both HMAs. The issue of unmet housing needs from adjoining areas is part of the Presumption in Favour of Sustainable Development at paragraph 11(b) and a Test of Soundness at paragraph 36 (formerly 35) of the Framework. It is further noted in paragraph 62. Whilst I realise that the transitional arrangements at paragraph 234 of the Framework allow the Plan to be considered under the "relevant previous version of the framework", you will be aware that the Duty to Cooperate is a legal duty, and has bee reiterated by recent Ministerial Statements by the Secretary of State. This is alongside the expanded text at paragraphs 24-28 of the Framework. The additions to paragraph 28 may be especially relevant. East Devon's effective housing target is set out in Policy SP02 for 20,909 net new dwellings from 2030-42, with a stepped delivery of 850 dwellings per annum between 2020/21-2031/32, increasing to 1070 dpa from 2032/33 to 2041/42. According to my calculations East Devon's LHN at 2023 was 893 dwellings per year; rising to 1,188dpa under the 2024 Standard Method. This appears to be within the tolerances of the NPPF transitional arrangements, but makes no allowance for unmet need from neighbours. Torbay looks forward to working with East Devon to address these issues under the Duty to Cooperate/Statement of Common Ground.

However, as the East Devon Local Plan is at Regulation 19, I must raise a holding objection that no account has been made about the need to accommodate unmet needs from neighbouring areas, specifically Torbay. I am happy to discuss, and understand that the matter is also being discussed at a more senior level. Kind regards

Teignbridge Local Plan Teignbridge Local Plan is currently at Main Modification stage following Examination. Torbay and TDC officers had agreed a mechanism whereby Teignbridge would allocate additional housing sites to meet Torbay's unmet need, once the scale of this was identified. dtc-003-addressing-torbay-s-unmet-need.pdf However, the Teignbridge Local Plan Inspectors have removed this mechanism (Main Modification 102) on the basis that it should be dealt with at first review of the Teignbridge Local Plan. See paragraph 6-7 of the Inspectors' Initial Advice Letter id-22-teignbridge-post-hearing-letter.pdf By way of context the old and new Standard Method LHN, and recent delivery (as they stood at December 2024) are set out below. This shows that all of Devon is struggling to meet the new LHN figure, and most have undershot the previous LHN figure. This also raises wider issues that can realistically only be addressed through the SDS. EDDC has previously objected that Torbay has not made a sufficient case to justify that it is unable to meet its Local Housing Need, and is maintaining this position at the current Torbay Local Plan (third Regulation 18 stage). Agenda for Strategic Planning Committee on Tuesday, 6th January, 2026, 10.00 am - East Devon. Torbay Local Plan Working Party 30th January 2026. Torbay and East Devon Local Plans. 4 It considers that (1) Torbay has not been sufficiently proactive in seeking to boost housing numbers. (2) Torbay has not raised a challenge about the statistical robustness of the Standard Method. (3) Torbay has not set out a justification that need arising from Torbay could be met in East Devon given their non-contiguous locations; and (4) East Devon also has significant environmental constraints including National Landscape (AONB), Habitats Regulations and transport issues. In response to these, it is accepted that Torbay is at Regulation 18 (i.e. the earlier stage of consultation than East Devon) and will produce a topic paper in support of its Submission Local Plan. However, the draft Torbay Local Plan has taken a no-stone left unturned approach to identifying housing land and is currently receiving objections from several landowners of allocated sites. Torbay Council is being very proactive at seeking to regenerate town centres and areas with good transport links. There will be an opportunity to reconsider housing options as part of the preparation of the Regulation 19 Local Plan, and particularly to consider the implications of the draft NPPF (and its "Presumption in Favour of Development in Sustainable Locations"). Torbay agrees with the suggestion in EDDC's response that the Standard Method is statistically flawed. However, as its officers will know, there is no scope in the 2024 NPPF to challenge the Standard Method as the binding assessment of minimum need. The draft 2025 NPPF reiterates its binding nature. As shown in Figure 1,The projected population growth for all of Devon arises from domestic inwards

migration. With no migration, Torbay's population is projected to decline by over a thousand people per year over the next decade, and EDDC's by over 450. It is noted that EDDC's population and household growth is projected to be the highest in Devon and has environmental constraints especially in the east of the district. (see Appendix 1 where more population and constraints information is included for information). Nevertheless, Torbay is not asking EDDC to accommodate Torbay households, but rather a wider need arising from a wider inter-regional pattern of population movement. Disagreement between Torbay and EDDC about where unmet need should be located is an issue for both Local Plans, but really raises issues of wider sub-regional significance. The Government, through MHCLG announced in the Planning & Infrastructure Bill the emergence of new Spatial Development Strategies across the country. The introduction of a system of strategic planning is particularly welcome and is realistically the only way in which the distribution of unmet housing need across the area can be met. SDSs will distribute broad housing numbers across authorities and will set broad development locations (but not specific sites). This will be a challenging issue for local authorities but at least allows matters of sub-regional growth to be considered at an appropriate strategic level.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: In this context, it is disappointing that the Regulation 19 East Devon Local Plan makes no reference to unmet housing need from Torbay. Nor does the 2022 ORS housing need evidence appear to make reference to Torbay, even though the predecessor study was carried out across Torbay Local Plan Working Party 30th January 2026. Torbay and East Devon Local Plans. 10 both HMAs.

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

I refer to East Devon District Council's second Regulation 19 Consultation and to EDDC's representations on the Draft Torbay Local Plan. Please see attached briefing note on the matter, which will be going to the Local Plan Working Party on the 29th January, which I appreciate is slightly outside your consultation window.

Since this was drafted, Torbay Council has received a letter from the Housing Minister expressing concern that Torbay's proposed housing figure is 42% of Local Housing Need

and reiterating that if Torbay is unable to meet its need , it is important to establish how needs might be met in adjoining areas through the process of preparing statements of common ground. Members and Officers will need to consider the ramifications of this. It may also affect the Teignbridge Local Plan examination.

As set out in the briefing note, Torbay's preferred option is for the Government's Local Housing Need figures to be addressed through forthcoming Spatial Development Strategy. In the interim, I must maintain the representation from the first regulation 19 consultation to the effect that Torbay will be unable to meet its LHN figure due to the extremely limited availability of developable land and significant environmental constraints. Paragraph 11 (a) of the Framework requires areas to meet housing needs as well as any needs that cannot be met within neighbouring areas, and this is repeated in the "Positively prepared" test of soundness at paragraph 36 (formerly 35) of the Framework. Please can Torbay Council reserve the right to attend the Examination with this respect.

As I have previously set out, I acknowledge that there have been several officer level meetings and discussions on this matter, and I have not raised Duty to Cooperate objections. I also note that the Duty to Cooperate is sensibly being retired by the current government.

We will no doubt talk further on the matter, but I needed to get a formal representation in during your consultation period.

Best regards

However, discussions have taken place between Torbay and EDDC officers and the "Duty to Cooperate" is not a "duty to agree". It is recommended that Officers work to agree a joint statement of common ground with EDDC that unmet needs should be resolved through SDSs and early reviews of Local Plans.

Full name: Dan Trundle

Organisation (where relevant): Black Box planning

Other party name (if relevant): Greendale Group (FWS Carter & Sons Ltd) and Crealy Farms

Proposal:

3. The Spatial Strategy

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: NPPF Paragraph 36 sets out that local plans are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are 'sound' if they are: a. Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with having achieved sustainable development; b. Justified - an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence; c. Effective - deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and d. Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

5.2 As set out earlier within this representation, the plan has not fully met the Transitional Arrangements as set out in Annex 1 of the December 2024 NPPF and should be meeting its full local housing need, having regard to the up-to-date Standard Methodology.

5.3 Instead, the preparation of the plan has been deliberately accelerated by the Council simply to circumnavigate having to plan for its full local housing need (1,188 dwellings per annum). Therefore, the plan currently only manages to account for an arbitrarily numerically capped 80% of its need (950 dwellings per annum).

5.4 This is a critical issue and one which has real world consequences - equating to a significant difference of 5,236 no. less homes delivered over the 22-year plan period. To

put this into some perspective, this is more than the entirety of the Council's housing waiting list which had 4,909 no. households registered on it in 2025.

5.5 This is the starting point for the plan and it is abundantly clear that it is not positively prepared and not consistent with national policy as it simply does not meet the area's objectively assessed needs.

5.6 It is also relevant that, in setting out its responses to previous Representations, the Council is seeking to purposefully navigate away from including the additional homes required, rather than adjust the Plan accordingly. It is not the case that the land to account for theshortfall in homes is not available.

5.7 Furthermore, as the Council is only seeking to meet 80% of its own need and no more, it is unclear to what extent, if at all, the Council could help to meet any unmet housing needs arising through the Exeter Local Plan examination – notwithstanding that Exeter are currently intending to meet their housing requirement within their administrative boundary.

5.8 In terms of Marlcombe, the September 2025 New Towns Taskforce Report recommended that the Government must be clear on the interactions between New Towns local housing targets Regulation 19 Representations East Devon Local Plan 2020-2042 GREENDALE GROUP AND CREALY FARMS JANUARY 2026 | PAGE 25 derived from the Standard Method. The Taskforce was clear that this is essential to ensure that new towns create genuinely additional housing in a way which is fairly reflected in local targets. The Government confirmed that it set out more detail in due course (likely Spring 2026) on how local targets interact with the future delivery of new towns, to support the overall aim of increasing housing supply.

5.9 It is understood that the Council expects around 3,300 new homes to delivered at Marlcombe in the plan period up to 2042, with around 4,700 additional new homes to be delivered beyond 2042, with at least a further 2,000 new homes to be accommodated in the longer term. Whilst it is acknowledged that the rules around this interaction are yet to be determined, the plan should account for the possibility that the full quota of the proposed 3,300 homes to be delivered at Marlcombe within the plan period may not be able to be factored towards its housing requirement. There appears to be little discussion about this possible outcome, let alone deliverable alternative provisions should that be the case.

Full name: Alistair Macdonald

Organisation (where relevant): Blue Fox Planning

Other party name (if relevant): Persimmon Homes South West

Proposal:

3. The Spatial Strategy

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

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

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

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

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

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

- The LPA's consultation response to the first regulation 19 consultation, fails to establish the position of the authority on the matters raised, and does not provide clear reasoning or justification as to the changes made to the plan as a result of the comments.

- PHSW continue to consider that in order to demonstrate that the Plan is positively prepared and justified by a robust evidence base, a detailed examination of the likely delivery profile of proposed allocations of 100+ dwellings on the basis of individual circumstances should be carried out to justify the stepped housing trajectory proposed through Strategic Policy SP02.

Strategic Policy SP02: Levels of future housing development 16. In previous representa??ons to the Plan, PHSW considered that the proposed approach to housing trajectory should be fully jus??fied and based on robust and relevant evidence including that derived at a local level. Objec??on was not raised to the stepped trajectory approach, but rather that there was no evidence that the Local Plan had a??empted to consider the deliverability of proposed alloca??ons on the basis of individual circumstances. The evidence base was based on a generic approach taken by Litchlifeld's findings that na??onally, sites of 100+ dwellings had a median ??me frame from just under 5 to nearly 7 years from applica??on valida??on to first comple??ons.

17. In the case of the proposals at 'land south west of Woolbrook (Sidm_001)', PHSW submi??ed a proposed reasonable delivery programme for the site which considered that an applica??on would be submi??ed in mid-2026, with first comple??ons at the end of 2028. Based on the first comple??ons on the site would therefore be achieved approximately 4 years before the date assumed by the Plan and in HOU_001. PHSW has instructed a project team in order to bring the site forward for development as envisaged by the emerging Local Plan and will be pursuing an applica??on on the site later this year in accordance with the predicted ??mescales. 18. Policy SP02 has been updated as part of this second regula??on 19 consulta??on, with new figures to take account of the April 2025 base data (rather than April 2024). It is not clear within the consulta??on informa??on and summary of changes, if any other considera??ons have been taken into account when upda??ng the delivery figures. 19. Whilst the Housing Delivery Paper (HOU-001 rev) has been updated with a November 2025 date, sec??on 5 of the report outlines the approach taken to jus??fy the 'Stepped Delivery Requirement' and con??nues to reference research conducted by Litchfields, but fails to specifically name the source of informa??on used by Litchfields. The relevant informa??on also does not appear to form part of the plans' evidence based. The evidence base con??nues to rely on the Litchfields generic findings, and the associated generically derived median ??me frame referred to in paragraph 16 of these representa??ons. 20. The LPA's consulta??on feedback report fails to consider or indeed jus??fy why this approach has been taken forward, or why the delivery trajectory of allocated sites has not been considered, par??cularly when evidence has been provided to the Local Plan process which provides detail and informa??on which would be of benefit to the plan making process.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: 21. PHSW con??nue to consider that in order to demonstrate that the Plan is posi??vely prepared and jus??fied by a robust evidence base, a detailed examina??on of the likely delivery profile of all proposed alloca??ons of 100+ dwellings should be carried out.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Persimmon is a national house builder and has vast experience in delivering new homes across the country. Persimmon also owns the Land

south west of Woolbrook (Sidm_01) allocation which is intended to deliver the majority of new homes identified for the Town and it is therefore considered that Persimmon's participation at the Hearing Sessions would be useful for the appointed Inspector(s).

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): 3West Developments Ltd

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Strategic Policy SP02 – Levels of future housing development:

Affordable Housing Need: Supporting text for Strategic Policy SP02 has been amended to provide an update affordable housing need figure for East Devon between 2020-2040. Paragraph 3.10 confirms that the affordable housing need has increased from 4,070 affordable dwellings to 4,108 dwellings and an additional '1,170 homes for those in private rent but who aspire to home ownership and can afford discounted market housing products'. The affordable needs for the District should be accounted for as well as the Council justifying its approach to an affordable housing contingency.

Housing Need and Stepped Trajectory: "The Local Plan is being examined under the September 2023 NPPF, but benefits from the transitional arrangements introduced in the December 2024 NPPF, which allow plans that had reached Regulation 19 to proceed on the basis that they meet at least 80% of the Standard Method housing need. On this basis, the Council is entitled to set its minimum housing requirement at 80% of the 2023 Standard Method figure, and the housing requirement in Strategic Policy SP02 meets this minimum threshold. However, the 80% figure represents a policy minimum and starting point, not a ceiling. There is no policy harm in planning for a higher level of housing provision where this can be sustainably accommodated. The latest Standard Method (May 2025) indicates an annual housing need of approximately 1,147 dwellings per annum, which better reflects current demographic and affordability pressures. As such, while the Plan satisfies the transitional minimum, the objectively assessed

housing need is materially higher. To ensure the Plan is justified by the latest housing need, it must be genuinely positively prepared and responsive to the housing needs of the district."

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

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

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): 3West Developments Ltd

Proposal:

3. The Spatial Strategy

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

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

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

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

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

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

2.8 3West reiterate comments made in previous representations in respect of Strategic Policy SP02 and remain disappointed that the concerns raised at the earlier Regulation 19 stage have not been substantively addressed.

2.9 In particular, the approach taken continues to rely on constrained housing provision, which reflects a housing requirement of 80% of the actual local housing need for the District, despite East Devon experiencing an acute housing crisis and worsening housing affordability.

2.10 3West also object to the Council's intention to proceed with a stepped trajectory approach, which is wholly unjustified, noting the District's significant overreliance on housing delivery within the new settlement, despite the acknowledged uncertainty surrounding future housing need and delivery on such strategic sites, highlighted through the historic issues associated with Cranbrook. This risks undermining the Plan's ability to respond positively and flexibly to changing circumstances, contrary to national policy. EDDC are also experiencing a housing crisis and an acute affordable housing need rendering the need to address their housing requirement as soon as possible, rather than delaying delivery by adopting a stepped trajectory approach.

2.11 Given Exmouth's position within the settlement hierarchy, a more ambitious approach to housing provision within the town would assist in ensuring the Plan is positively prepared and effective over the plan period.

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

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

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

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Vistry Group

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Strategic Policy SP02: Levels of Future Housing Development

2.4 Vistry support the principles of Strategic Policy SP02 and the acknowledgement that the NPPF requires Local Plans to identify and meet as a minimum the objectively assessed development needs for their area. However, Vistry object to the overall housing requirement and stepped trajectory approach and raise comments in relation to the affordable housing figures contained within the supporting text, which is not justified.

2.5 It is noted that paragraph 3.8 has received a minor update to confirm that: "In the event of housing not being delivered in accordance with the plan and/or the identified need for new homes changing in the future, including taking account of possible unmet needs in neighbouring areas, the requirements of national policy and legislation for a review/update of the plan will be followed."

2.6

2.7 Vistry support this addition and the acknowledgement that a plan review will be required in future if the identified housing need or housing delivery change. The Draft LP states in paragraph 3.10 that the East Devon Housing Needs Assessment 2025 shows an affordable housing need from 2020 to 2040 of 4,108 homes (current and future needs), an increase from 4,070, and an additional 1,170 homes for those in private rent but who aspire to home ownership and can afford discounted market housing products. The affordable housing need figure fails to extend to the end of the Plan period (2042), the final two years of the plan period are no longer accounted for. The full affordable need across the Draft LP period has therefore not been considered.

2.8 To be positively prepared, and in acknowledgement of the above acute affordable housing need, the Draft LP should increase the housing numbers proposed as at present, the Plan continues to only meet 80% of its local housing need. Page 6 EDDC Second Regulation 19 Consultation: Representations | Land at Addlepool Farm

2.9 Paragraph 3.12 continues to state that the proposed "new community provision of new homes will come forward under a stepped trajectory that will provide an annual average of 850 dwellings per year from 2020/21 to 2031/32 and 1,070 per year from 2032/33 to plan end at 2041/42".

2.10 Vistry continue to object to the proposed stepped trajectory as this is not considered to be effective plan-making. The stepped trajectory approach is wholly unsuitable in the context of this Draft LP, it places significant reliance on meeting EDDC's housing requirement within the latter parts of the Plan period, when housing delivery is least known. This is not an effective or justified approach given the District's acute affordable housing need and housing crisis and noting that EDDC are intending to benefit from the NPPF transitional arrangements and a housing requirements figure that already falls short of the local housing need. The stepped trajectory also places an over-reliance on housing delivery within the new settlement, with overly optimistic delivery assumptions that are not supported by robust or proportionate evidence.

2.11 Large-scale strategic developments of the quantum planned for Marlcombe require extended timeframes to secure the necessary planning permissions, implementation and delivery. Consequently, the Council needs to take a realistic delivery approach. As drafted, there is significant uncertainty as to whether the new communities will be delivered before the end of the plan period. The Council must reconsider the approach to site selection. Land at Addlepool Farm can contribute to the Council's housing need in the short to medium term, supplementing housing delivery within existing draft allocations and allowing for a reduction in the housing delivery assumptions associated with the new settlement to more realistic assumptions.

Full name: Phillippa Gatehouse

Organisation (where relevant): C G Fry & Son Ltd

Other party name (if relevant): Mr & Mrs Cowling

Proposal:

3. The Spatial Strategy

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The proposed housing targets and stepped trajectory have not been amended and so our previous comments regarding the validity of this approach remain valid. While associated paragraph 3.8 has been amended to identify that the plan will be reviewed/updated if housing delivery falls short or future housing needs change, this is not considered sufficiently robust or clear as to how and when this would take place. Paragraph 3.9 refers to addressing housing needs by establishing a clear housing requirement based on the New Standard Method. To clarify, the 2nd Reg 19 draft LP only has to meet 80% of the New Standard Method housing need as a minimum. As noted above, the identified 'headroom surplus' for housing supply has increased to 12.18% but this is due to the accounting period being adjusted to 2025 rather than additional allocations being identified. The previous comments and concerns about the identified number and stepped trajectory remain and it is considered a 20% buffer would be more robust and in line with national policy.

Full name: Simon Coles

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): DABB Partnership

Proposal:

3. The Spatial Strategy

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

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

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

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

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

Housing Targets / Delivery The proposed housing targets and stepped trajectory set by Strategic Policy SP02: Levels of future housing development have not been amended and so our previous comments regarding the validity of this approach remain valid. While associated paragraph 3.8 has been amended to identify that the plan will be reviewed/updated if housing delivery falls short or future housing needs change, this is not considered sufficiently robust or clear as to how and when this would take place. Paragraph 3.9 refers to addressing housing needs by establishing a clear housing requirement based on the New Standard Method. To clarify, the 2nd Reg 19 draft LP only meets around 80% of the New Standard Method housing need.

The identified 'headroom surplus' for housing supply at paragraph 3.11 has increased to 12.18% but this is due to the accounting period being adjusted to 2025 rather than additional allocations being identified. The previous comments and concerns about the identified number and stepped trajectory remain and it is considered a 20% buffer would be more robust and in line with national policy.

The previous comments about the apparent conflict between Strategic Policy HN02 (Affordable Housing), and Policy SP06 regarding the certainty of windfall development also remain valid.

Full name: Samantha Thomas

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): Taylor Wimpey

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Up to 2031/32, the Council indicate a trajectory to deliver 850 dwellings per year on average, with the remaining plan period from 2032/33 onwards to deliver an annual average of 1,070 dwellings per year. Whilst this averages out to provide for the required housing need, it means that for the first part of the plan-period, the LPA will be under-delivering against their identified housing need and more than likely unable to demonstrate a five-year housing land supply within the early parts of the plan-period, as evidenced by Appendix 1 of the Draft Local Plan. This approach appears to be at odds with the Framework, in particular, the requirement to "meet the area's objectively assessed needs". It is, effectively, a workaround, where the LPA will only be delivering 70% of the housing requirement, which would be averaged out by delivery later in the plan period, for the Plan to continue to be assessed against the previous version of the Framework and therefore requiring 80% of the housing requirement to be planned for. Elsewhere in the Draft Local Plan, notably in Strategic Policy HN02 (Affordable Housing), it is referenced that 35% affordable housing would be a target for windfall development outside settlement boundaries. This appears at odds with Policy SP06 which restricts development outside settlement boundaries, presenting concerns about the level of contribution that windfall sites will provide to meeting housing need. Paragraph 75 of the Framework is clear that there should be "compelling evidence" that windfall sites will provide a reliable source of supply. The current wording of Policy SP06 does not provide confidence that development on windfall sites will be a reliable source of supply. In combination, the restrictive nature of Policy SP06, and the reliance of larger sites to deliver the required housing need later in the plan-period cemented by Policy SP02, presents the prospect of a deteriorating housing supply position from the point of adoption within the first half of the plan period. The Framework is clear that planning

policies “should identify opportunities for villages to grow and thrive, especially where this will support local services”. The restrictive nature of Policies SP02 and SP06 is at odds with the clear intention of what the Framework is aspiring to achieve. Furthermore, the Framework is clear that strategic policies should provide for objectively assessed needs “as a minimum”.

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

Full name: John W Thorne

Organisation (where relevant): JWT

Other party name (if relevant): Mr & Mrs S Anthony

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: East Devon Local Plan – January 2026

The following representations are made on behalf of *** Personal details have been removed *** in relation to:

Policy SP02 – Levels of future Housing Development SD10 – Development Allocations Policy

Issue - Unsustainable and unacceptable failure to address the matter of Brownfield land in the Plan. The consequent approach to designation of housing sites is thereby over-reliant on greenfield open space and farmland to the detriment of the natural environment and the rural character of the district.

Following examination of the Council's website in February 2025, it was apparent that the East Devon District Council published register of Brownfield Land, an annual statutory requirement pursuant to The Town and County Planning (Brownfield Land Register) Regulations 2017, was stated as having most recently been reviewed in 'December 2021'.

Having received no response to two separate requests for inclusion of sites on the register, a Freedom of information Request to the Council dated 3rd March 2025 posed the following questions and received the perfunctory responses appended in bold:

"1.How many requests have been received since December 2021 to include land on the register? - 1 but not progressed further than enquiry stage

2. On which dates has the yearly review referred to on the Council's website taken place, since December 2021? - Yearly, end of April

3. Why does an up to date register not appear on the Council's website? - Due to technical issues

4. When will an up-to-date register be published? - End of April 2025

5. Where in the Regulation. 18 and Regulation 19. Consultation drafts of the EDDC Local Plan 2020-2042 is account taken or reference made to housing sites included on the register? -

Please refer to the below:

The Regulation 18 plan - commonplace-reg-18-final-071122.pdf includes refence at para

17. 12 onward and in chapter 19 – Glossary of terms.
https://eastdevon.gov.uk/media/3724891/commonplace-reg-18-final-071122.pdf

The Regulation 19 plan - regulation-19-plan.pdf – includes reference in Chapter 17.

Implementation and Monitoring.

https://eastdevon.gov.uk/media/gtimzhle/regulation-19-plan.pdf…"

As the replies to questions 2. 3. 4. and 5. Were cursory and appeared to be untrue, a formal complaint was submitted to the Council on 30th April 2025 stating the following:

"With regard to these responses, no sites have been added to the register in the last four and a half years. No evidence has been forthcoming to demonstrate that the register has

received any attention whatsoever in the last four years; The failure to publish it 'Due to Technical Issues' is not explained and is an unsatisfactory response. It does not take four years to update a web page or publish a register; It is now the end of April 2025 and no updated register has been published (Ref a screenshot of the webpage in question taken today 30th April); The references to Brownfield Land in the Regulation 18 and 19 Local Plan consultations merely refer to completions on Brownfield sites forming part of the HMU process and include the term Brownfield land and the criteria for registration in the glossary of terms. Brownfield land does not feature until page 302 of the Reg 18 document and page 264 of the Reg 19 consultation draft which states:

"…To achieve this, the council will monitor and publish the following reports, fulfilling the need for an Annual Monitoring Report. Housing Monitoring Update (HMU): Tracks housing completions, projections, and land supply. This includes: • Total net and gross completions by district, parish, settlement, and Built-up Area. • Breakdown of completions on brownfield and greenfield sites.

and

Brownfield Land Register: Lists suitable brownfield sites for development. To be included, sites must be: • Suitable for residential development according to Local Plan and NPPF policies. East Devon Local Plan 2020 to 2042 –Regulation 19 Plan – February 2025 265 • Free from adverse impacts on the natural environment, habitats, or built heritage. • Viable and deliverable within 5 years. • At least 0.25 hectares in size or capable of supporting five or more dwellings. • Available for residential development without ownership or legal constraints.

Nowhere else in the emerging local plan is the matter of Brownfield Land engaged with, incorporated or acknowledged as a means of delivering sustainable housing development and contributing towards the preservation of greenfield sites and the natural environment.

- First it therefore appears prima facie that the Local Planning Authority has failed to discharge its statutory responsibility under The Town and County Planning (Brownfield Land Register) Regulations 2017.

- Secondly the Local Planning Authority has completely failed to include and promote development of Brownfield land as an important and environmentally sustainable alternative to housing development on greenfield and agricultural land in preparing its emerging local plan. There has been no attempt to assess, update, analyse and include the potential contribution to housing delivery of brownfield land within the district."

It was therefore requested that the Council should revisit the emerging local plan and include the contribution that brownfield sites can make to the sustainable delivery of housing in East Devon District

A response to this Stage 1 Formal Complaint was received on 16th June 2025 from the Assistant Director – Planning Strategy and Development Management (Appended to this submission in full).

This response advanced reasons why the inclusion of the objectors' land on the register of brownfield sites was declined but upheld the complaint, apologised and acknowledged that the authority had "...failed to undertake the annual review of the register.."

On the matter of the Local Plan Process the responses stated:

"In respect of the local plan there are references in the plan itself to brownfield land but more importantly site allocation assessment work considered the brownfield status of sites alongside a wide range of other considerations in drawing up recommendations and conclusions on site choices for allocation for development...."

And

"In terms of the local plan the Council is planning an amended version to form a second round of Regulation 19 consultation later this year. It is important to note that the Inspector undertaking Examination into the local plan will consider all representations received in his/her deliberations and as such matters raised in responses will be up for consideration and will inform final recommendations of the inspector. Concerns regarding the Local Plan should be pursued through this route..."

With respect to the Assistant Director it is submitted that the two parts of the response quoted above do not add up. On the one hand between December 2021 and the complaint of March 2025 the Council, by its own admission, took no action whatsoever to identify or register brownfield land within the district, or to publish a register. It cannot therefore have been possible to have at the same time "..considered the brownfield status of sites alongside a wide range of other considerations in drawing up recommendations and conclusions on site choices for allocation for development..." as part of the Local Plan preparation process, because no work to identify, promote, or register such sites took place.

The perfunctory references to Brownfield Land appear on Pages 299 and 307 of the Regulation 19b draft and do not in any way advance or address the importance of this issue.

- On behalf of the objectors it is therefore submitted that, within the new Local Plan the Local Planning Authority must address its failure to include and promote development of Brownfield land as an important and environmentally sustainable alternative to housing development on greenfield and agricultural land. This should take the form of an amendment to Policy SP02 or an additional policy prioritising the identification, registration and development of brownfield sites and declaring them to be sequentially preferable to development of open space and agricultural land.

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Representations on Reg 19b - Brownfield land and Housing.pdf: https://res.cloudinary.com/commonplace-digital-limited/image/upload/v1770739240/projects/68caca5749c1b0125abb2dae/respondent-upload/htevy0ls1sbdq58qf9gc.pdf

Full name: John W Thorne

Organisation (where relevant): JWT

Other party name (if relevant): Mr & Mrs S Anthony

Proposal:

3. The Spatial Strategy

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

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

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

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

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.: Failure to maintain and publish annually an appropriate register of Brownfield Land between 2021 and 2025 and thereby failing to put delivery of housing on brownfield land at the core of the policy as a sequentially preferable and sustainable alternative to allocations for development of greenfield sites, open space and agricultural land

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Within the new Local Plan the Local Planning Authority must address its failure to include and promote development of Brownfield land as an important and environmentally sustainable alternative to housing development on greenfield and agricultural land. This should take the form of an amendment to Policy SP02 or an additional policy prioritising the identification, registration and development of brownfield sites and declaring them to be sequentially preferable to development of open space and agricultural land.

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: An FOI request and formal complaint have revealed that the Council failed to add any sites to the Register of Brownfield Land between 2021 and 2025 and failed to update or publish the register

between December 2021 and May 2025. Their claim to have considered brownfield sites in the allocation process cannot be correct and the claim to have done so on page 299 of the Reg 19b version is not credible. Furthermore the claim in the glossary on page 307 that the authority 'maintains' a register is also a falsehood.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Within the new Local Plan the Local Planning Authority must address its failure to include and promote development of Brownfield land as an important and environmentally sustainable alternative to housing development on greenfield and agricultural land. This should take the form of an amendment to Policy SP02 or an additional policy prioritising the identification, registration and development of brownfield sites and declaring them to be sequentially preferable to development of open space and agricultural land.

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

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The LPA has neglected its statutory duty under The Town and County Planning (Brownfield Land Register) Regulations 2017 and have apologised for doing so in response to a formal complaint. They need to answer questions on how they will address the consequences of this in amendments to the plan.

Full name: Zoe Mason

Organisation (where relevant): Lichfields

Other party name (if relevant): Mr M and Mr R Nanciekivell

Proposal:

3. The Spatial Strategy

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The adopted East Devon Local Plan (2013-2031) identified an annual housing need of 950 dwellings per annum; 17,100 dwellings over the plan period. The 2023 housing delivery test established that 118% of housing need had been delivered in East Devon (need for 2,482 dwellings vs delivery of 2,940). Table 1 below shows that the number of homes required was exceeded by those delivered in years 2020/21, 2021/22 and 2022/23. The most recent two years in particularly (2021-2023) clearly demonstrate that East Devon is capable of delivering at rates beyond those set in the Local Plan and this has been a successful Plan strategy. East Devon has progressed its Draft Plan to Regulation 19 to accord with the 'transitional arrangements' set out in the December 2024 NPPF. Para. 234a states that, if "…the plan has reached Regulation 19 (pre-submission stage) on or before 12 March 2025, and its draft housing requirement meets at least 80% of local housing need" then the plan will be examined under the relevant previous version of the Framework i.e. the 2023 NPPF. Page 5 of the Draft Plan confirms this: "this plan, and policies within it, are drafted to accord with the December 2023 National Planning Policy Framework and all references in the plan are to this document, unless specifically stated otherwise".

2.3?? This is critical to considering East Devon's housing need. In summary: 1?? The new standard method sets an annual local housing need for East Devon of 1,188 dwellings per annum. Projecting this over a 22 year Plan period (2020-2042) generates a minimum housing need of 26,136 dwellings. Even if the period 2020-2024 was assumed at the adopted Local Plan level of need (950 dwellings, or 4 years at 3,800 dwellings), increasing to 1,188 for 2025-2042 (18 years so 21,384), this would total 25,184 dwellings over the 22 year Plan period. 2?? The 2023 version of the standard method generated a local housing need for East Devon of 893 dwellings per annum, or 19,646 dwellings over the Plan period. 3?? East Devon commissioned ORS to prepare a Local

Housing Needs Assessment in September 2022 which confirmed the "…minimum Local Housing Need figure across East Devon is 918 dwellings per annum" (para. 6.2). At that time a 20-year Plan was anticipated, but based on the 22 year Draft Plan, this totals 20,196 dwellings.

2.4?? The 2023 standard method and the locally assessed housing figures (i.e. no.2 and 3 above) equate to less than 80% (75 - 77%) of the new standard method figure and therefore fail the NPPF's 'transitional arrangements'. Instead, the Draft Plan will simply deliver 80% of the new standard method which "…generates the annual average housing level of 950.4 new homes, a 22-year plan requirement of 20,909" (para. 3.11). On this basis, 'Strategic Policy SP02: Levels of future housing development' states "…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".

2.5?? Whilst the 'transitional arrangements' exist to enable Plans to progress where they have got to Regulation 19 by 12 March 2025, this is where they have been prepared in accordance with the previous Framework i.e. the 2023 NPPF, and meet 'at least' 80% of local housing need. Para. 234a was not intended as a tool to simply 'cut the numbers' that would otherwise be required and plan for -20% of up-to-date need. Further, the 80% is a minimum, not a target to plan for.

2.6?? The 'justification' text for policy SP02 states: 1?? "Projected delivery from all sources, from a monitoring base position of 1 April 2024…provide for 22,614 homes. 2?? Of these 3,514 have been built which if deducted from gross projections leaves a net delivery of 19,100 and a net need, with the same subtraction, of 17,395. 3?? Deducting the net need from net delivery generates a 'surplus' of 1,705, this… gives a healthy headroom surplus of 9.8% that will account for any possible non-delivery".

2.7?? This 'surplus' / 'headroom' is an arbitrary figure which does not reflect real 'need' – it cannot therefore be considered a surplus. By planning for precisely 80% of up-to-date need (i.e. the new standard method), the Draft Plan immediately fails to meet 'need', and even with the 'surplus' of 1,705 dwellings it still falls well short.

2.8?? It is therefore concluded that the Draft Plan has failed to be positively prepared, and takes an unjustified approach to its housing numbers. When East Devon concluded that its local housing need as assessed under the previous Framework, and/or by ORS in 2022, was less than 80% of the new standard method, it should have resolved to prepare a Local Plan to meet up-to-date need, planning for the full new standard method requirement i.e. 1,188 dwellings per annum, and a minimum of 26,136 dwellings over the plan period. Seeking to get to Regulation 19 by the 12th March 2025

deadline with an unsound plan, simply to secure agreement to delivery of 20% less than identified housing need, should be firmly rebutted. Distribution Over Time

2.9?? The Plan's soundness is further undermined by the approach in Policy SP02 to a 'stepped housing trajectory' where delivery targets only 850 homes per annum from 2020/21 to 2031/32, increasing to 1,070 homes per year from 2032/33 to 2041/42. The first 11 years of the Plan (and 5 years from adoption i.e. the five year housing land supply) fall well short of meeting minimum need, whether under the new or old standard method, or indeed the need assessed by ORS in 2022. This is a fundamentally unsound approach and raises various significant issues.

2.10?? Firstly, the proposal for a stepped trajectory 'backloads' a significant proportion of housing delivery. In years 1-4 post adoption (where it assumes 850 units a year from 2026/27- 2031/32) this totals only 4,250 dwellings (89% of the Draft Plan minimum requirements, and only 72% of the new standard method). Even more concerning is how this is further compounded by the housing trajectory at Appendix 1 to the Draft Plan, which identifies delivery of: 1?? 2025/26: 781 dwellings 2?? 2026/27: 660 dwellings 3?? 2027/28: 645 dwellings 4?? 2028/29: 448 dwellings

2.11?? Applying the above, in the next 4 years delivery would be only 67% of the Draft Plan minimum requirement, or 53% of the new standard method. In 2028/29, delivery wouldn't even reach 50% of the minimum Draft Plan requirement, or 40% of the new standard method. This is profoundly unsound. Delivery is then stated to jump dramatically to 1,078-1,494 dwellings in 2029/30-2038/39, before dropping down again to 646-911 in the final 3 years of the Plan (the reason for the latter is unclear, particularly given this is when one would assume the new settlement is at its peak delivery). This shows a huge overreliance on large strategic sites coming online in years c.10-20 i.e. 5 years post adoption, at the expense of meeting immediate housing need; there is also significantly more risk and uncertainty in delivery of these large sites, as accepted in the Draft Plan; para. 3.12 states "in recognition of the complexities inherent in delivering major development sites, particularly the proposed new community provision of new homes will come forward under a stepped trajectory…". This is not a sound reason for a stepped trajectory.

2.13?? Planning for delivery to fall well short of recent trends and identified need is a flawed and unsound approach and will have significant economic and social implications for East Devon. This is not taking a positive approach to plan-making.

2.14?? EDDC must therefore revisit its overall housing numbers and how these feed into the delivery trajectory, with amendments to Strategic Policy SP02 and Appendix 1. This will also have implications for Strategic Policy SP03 (currently unsound as drafted, as additional numbers must be planned for in the Designated Neighbourhood Areas) and then Chapter 5, as a number of new/expanded site allocations will be required; EDDC

must allocate land to increase its supply for the 5 years of the Plan post adoption i.e. unconstrained and deliverable small/medium sized sites, such as those under the control of the Landowner in Ottery St Mary, as well as – fundamentally – planning for its true housing need over the full plan period. Five Year Housing Land Supply

2.15?? The Draft Plan must identify a 5 year housing land supply (5YHLS) from the intended date of adoption; this is a requirement of the NPPF. Critically for East Devon, para. 78c of the NPPF will immediately apply as the Local Plan is not due for adoption until late 2026/early '27. By planning for an annual average housing need of 950 new homes, which is precisely 80% of new standard method figures (arguably below 80% as a need for 950.4 should be rounded up to 951), the 20% buffer will be required.

2.16?? The Draft Plan must address this now. Beyond increasing its allocated housing land/associated trajectory for 2026/27 – 2031-32 to address actual housing need, it must add a 20% buffer to this. The implications are significant. Applying a housing need figure of 950 dwellings per annum + 20% equates to 1,140 per annum, or 5,700 dwellings over 5 years; a total increase of 1,450 dwellings. When considering this in the context of the current 850 dwelling stepped trajectory, the increase to what is currently being planned for becomes even more significant.

2.17?? The Draft Plan is supported by a "Technical Assessment of Housing Delivery" (Feb 2025). This states at Section 5 that the 20% buffer has been applied and from adoption the Plan will have a 6.22 year supply. Appendix 5 is flawed (see copy at Table 2 below); it is based on an annual housing need of 850 dwellings, with the buffer increasing this to 1,020 (5,080 total). Based on a Local Plan annual housing target of 950 dwellings (not 850) this must be increased to 1,140 dwellings, or 5,700 over 5 years. It is clear from this trajectory that the land supply in the first two years will fall well short – in year 1 supply is just 57% of need, and in year 2 only 39%. The significant jump from year 2 (448 dwellings) to year 3 (1,471 dwellings) is not justified. Whilst it is agreed that some of the allocations set out in the Draft Plan will deliver within the first 5 year period, it is highly unlikely this will reflect Appendix 4 of the Technical Assessment of Housing Delivery paper which shows almost all the Draft Plan's allocations suddenly delivering units in years 2029/30 (having delivered none beforehand).

2.19?? Based on Lichfields Start to Finish research, delivery would come from some of the small site allocations, yet the Council's projections have the 10,000 unit new settlement delivering 144 units from year 2029/30, increasing to 216 units from 2031/32. This is unsound. Large sites of 2,000 units plus take on average 5.1 years for the planning approval period, plus 1.6 years from planning to delivery; that is almost 7 years. This settlement is not yet subject to a planning application and is unlikely to be until the Plan is at Examination/adopted (2026/27). Even this would be ambitious given the Council is at vision/early consultation stage; planning submission post Plan adoption appears more likely. In its first delivery year, units/numbers are generally low

given supporting infrastructure required to service the first parcel. The first year is likely to start at 50-100 dwellings and ramp up to 200 per annum over 1-2 years, depending on the number of housebuilder outlets.

2.20?? This new settlement is therefore highly unlikely to deliver units in the first 5 years of the Plan period, and it is not feasible for it to have delivered 144 units on site within 3 years; it should be a 'Y' for 'challenging' at Appendix 4 and pushed back to at least 32/33. This immediately removes 504 units from the 5YHLS and calls into question the assumptions made on other allocations. It also raises significant concern regarding the Draft Plan's assumption that 3,300 dwellings will be delivered at this new settlement by 2042, which has wider implications for the plan's wider land supply.

2.21?? The approach to 5YHLS and NPPF para. 78 is therefore flawed, as are the general assumptions around delivery at the new settlement. Additional small/medium site allocations must be made in the Draft Plan to demonstrate a 5YHLS with appropriate buffer, and wider land supply must be reviewed to avoid overreliance on the new settlement delivering 3,300 units by 2042. Supply Breakdown and Geographic Delivery

2.22?? The evidence base document "Housing Need, Supply and Requirement Interim Topic Paper" (November 2022) refers to a land supply of approximately 20,441 dwellings for the years 2020-2040, which is less than the Draft Plan's identified (albeit under cooked) need of 20,909. It is noted that this does not accommodate 2040-2042. Table 1 of the paper identifies supply to include: 1?? Completions and existing commitments: 6,295 dwellings 2?? Cranbrook DPD Expansion Area Allocations: 4,170 dwellings 3?? New Town allocation: 2,500 dwellings 4?? Other allocations: 5,141 dwellings 5?? Windfall allowance: 2,335 dwellings Without interrogating the numbers, there are some fundamental issues with this approach: 1?? Over 50% of need being planned for in the Draft Plan is already completed/an existing commitment, or forms part of the Cranbrook expanded community; 2?? Cranbrook and the new town address 33% of need (and including completed/committed development, 63% of need). This shows a significant reliance moving forwards on the large and complex strategic sites; 3?? Beyond this, only 25% of need is to be met from new/other allocations. This is less than double that from windfalls and should be increased, to first address the distribution of supply (geographically and trajectory), secondly provide headroom (see 5 below) and thirdly spread risk of non-delivery; 'Other allocations' accounted for 5,141 dwellings in the 2022 paper, when the Plan period was 2 years shorter; it does not appear that 'other allocations' have been increased/extended despite the plan period being extended, albeit without an update to the "Housing Need, Supply and Requirement Interim Topic Paper" this cannot be clearly understood; and, 5?? The 2022 Paper acknowledges it is "…not enough simply to identify sufficient housing for forecast supply, including new site allocations, to match the housing requirement. The local plan should also manage the risks relating to the uncertainties of future housing delivery. The Council cannot

guarantee delivery so it is realistic to acknowledge that some approved or planned sites may not come forward. An effective way to manage uncertainty is to reduce this risk by allowing for supply 'headroom'." Whilst this approach is commended, and the Draft Plan notes some headroom (c. 1,700 units), the assumptions it has made to inform this e.g. for the new town are not sound and will affect that headroom materially.

Full name: Zoe Mason

Organisation (where relevant): Lichfields

Other party name (if relevant): Mr M and Mr R Nanciekivell

Proposal:

3. The Spatial Strategy

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Compliance with Transitional Arrangements EDDC is progressing its draft Local Plan in accordance with the transitional arrangements established in paragraph 234.(a) in Annex 1 of the National Planning Policy Framework (NPPF) (December 2024), which states: "For the purpose of preparing local plans, the policies in this version of the Framework will apply from 12 March 2025 other than where one or more of the following apply: a. the plan has reached Regulation 1982 (pre-submission stage) on or before 12 March 2025, and its draft housing requirement meets at least 80% of local housing need83," Footnote 82 and 83 state: "82 Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. In this context "reached Regulation 19" refers to when Regulation 19 has been complied with (i.e. when the planning authority has made a copy of each of the proposed submission documents and a statement of the representations procedure available, and the statements required in Regulation 19(b) have been sent to consultation bodies)." "83 Calculated using the standard method in national planning practice guidance, published on 12 December 2024." Further, Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2002 ('the Regulations') states in full: "Before submitting a local plan to the Secretary of State under section 20 of the Act, the local planning authority must- (a) make a copy of each of the proposed submission documents and a statement of the representations procedure available in accordance with regulation 35, and, (b) ensure that a statement of the representations procedure and a statement of the fact that the proposed submission documents are available for inspection and of the places and times at which they can be inspected, is sent to each of the general consultation bodies and each of the specific consultation bodies invited to make representations under regulation 18(1). The Planning Practice Guidance (PPG) (Paragraph: 86, reference ID:61-086-20250616) states: "Some local planning authorities may undertake more than one

round of Regulation 19 consultation on a plan. Where this is the case, for the purposes of implementing Annex 1 of the Framework, a plan is normally to be taken as having reached the Regulation 19 stage at the date on which the first round of Regulation 19 consultation commenced. However, in some limited circumstances, a plan is to be taken as having reached Regulation 19 on the date that a subsequent round of consultation commenced. These limited circumstances could include instances such as when the content of an emerging plan has changed significantly from the one presented at the initial Regulation 19 stage." [bold shows our emphasis] EDDC undertook its first Regulation 19 Consultation between 13 February 2025 and 31 March 2025, where it set out to meet 80% of housing need as derived from the December 2024 standard method. The first Regulation 19 Consultation document had some fundamental flaws in its approach to housing delivery and allocations (see Appendix 1); these flaws remain in the second Regulation 19 document. Consultation on the current second Regulation 19 document commenced on 28 November 2025 and will close on 26 January 2026. It comprises a series of changes, including: 1 Changes to the Housing Trajectory; 2 Revisions to settlement boundaries; 3 Updated Designated Neighbourhood Areas housing need figures; 4 Changes to specific allocations, including dwelling numbers; 5 Alteration to wording of many policies, including changes to policy triggers; 6 Deletion of previously allocated sites; 7 Material changes to the New Community allocation policy, including naming the town Marlcombe, provision of a Masterplan, and amendments to policy wording alongside further specific requirements for education provision, additional requirements for provision of a Suitable Alternative Natural Greenspace (SANG) and the formation of a Waste Consultation Zone; 8 Provision of several updates to documentation within the evidence base, including (significantly) submission of 33 new documents to the evidence base, including submission of new Statements of Common Ground and a Statement of Community Involvement, which comprise core submission documents. The Draft Plan does not meet the exceptions listed under para 234 of the NPPF as: 1 The submission documents (as defined by Footnote 82 to NPPF Para 234 and Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2002) made available at the second Regulation 19 Consultation are not the same as those made at the first Regulation 19 Consultation; 2 The new/updated submission documents did not reach Regulation 19 stage prior to 12 March 2025; 3 The second Regulation 19 submission documents are materially different to those from the first Regulation 19 Consultation; and, 4 The report to Strategic Planning Committee (meeting of 25th November 2025) confirms that the Committee was provided with a report 'setting out a series of what are more substantive changes to the local plan' (para 2.1), which include many of the changes outlined above. Para 234 of the NPPF is therefore not engaged. The impact of this is that the EDDC should return to Rgulation 18 or Regulation 19 consultation, and plan to meet the full standard method requirement, which is 1,156 dwellings per annum. Should EDDC disagree that the plan does not meet the transitional arrangements and proceed under

its current proposal to submission to the Planning Inspectorate, there remain a number of points which should be addressed by EDDC prior to submission. These are outlined below, and in our previous representations where (Annex 1). Strategic Policy SP02: Levels of future housing development In the context of the above, the Commissioners consider that EDDC must seek to meet its full housing need as established by the standard method. Accounting for updated affordability ratios published by the Office of National Statistics (ONS) in March 2025, the standard method figure for EDDC is 1,156 dwellings per annum. Over the plan period, EDDC's housing requirement is therefore 25,432 dwellings. Even if years 2020-2026 of the plan period are accounted for at the existing plan requirement of 950 dwellings, this would total 24,402 dwellings over the 22 year plan period. The Draft Plan therefore falls significantly short of need, planning for only 82% (or at best 86%) of need. The second Draft Plan has failed to be positively prepared. Upon recognising the 'substantive changes' required to be made to the Draft Plan (para 2.1 of EDDC's Strategic Planning Committee Meeting of the 25 November 2025), EDDC should have reviewed its approach to accommodate the full housing requirement as per the NPPF. The Commissioners suggest that EDDC review Strategic Policy SP02 to account for 100% of need as per the Standard Method figure of 1,156 dwellings per annum. This requires that, prior to submission of the plan for examination, EDDC should plan for an additional 4,500 homes, identifying a land supply through additional allocations for a minimum of circa 2,500 homes. In addition, the updated evidence in the second Regulation 19 Consultation base identifies that the below changes are required regarding housing numbers and trajectory prior to submission: 1 The approach to a phased housing trajectory does not comply with national policy, nor is the 'need' for it appropriately evidence. EDDC's planned delivery must meet, if not exceed the annual housing need figure. The second Draft Plan outlines EDDCs intention to under-deliver against need for the first 11 years of the plan period, and then provide a significant jump to accommodate the initial shortfall in later years. The implications for social and economic growth of this approach are significant, and will impact the housing crisis and affordable housing provision; 2 The second Draft Plan proposes a rate of housing delivery below that achieved in the first five years from adoption relative to recent delivery; and, 3 The Draft Plan is planning to fail to meet its reduced stepped housing requirement of 850 dwellings between 2026-2029. Without addressing these issues, the second Regulation 19 Draft Plan is unsound and is not positively prepared. EDDC must seek to address these issues prior to Submission.

Full name: Matt Frost

Organisation (where relevant): LRM Planning

Other party name (if relevant): 3West Developments Ltd

Proposal:

3. The Spatial Strategy

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: 3W objects to Policy SP02 for the reasons set out below. Length of the Plan Period

3.3 As required by para. 22 of the NPPF, strategic policies should look ahead over a minimum 15-year period from the date of the adoption of the Local Plan. The Planning and Compulsory Purchase Act 2004 (as amended) requires the preparation of a Local Development Scheme, which must specify the development plan documents that, once prepared, will comprise the development plan for the area. The same section of the Act requires local planning authorities to provide a timetable for the preparation and revision of development plan documents and for local planning authorities to provide up-to-date information showing the "state of the authority's compliance (or noncompliance) with the timetable…"

3.4 The Council's latest Local Development Scheme (October 2025) forecasts adoption of the Plan in 2027. No specific month in 2027 is identified. However, if the Plan is forecast to be adopted any later than the 31st March 2027, then it will not provide the "minimum 15-year period from adoption" as required by para. 22 of the NPPF. 5

3.5 3W considers it highly optimistic to consider that the emerging Local Plan will be adopted within 15 months, particularly when considering: ? Processing of the Second Regulation 19 consultation responses. ? Completion of the outstanding elements of the evidence base underpinning the emerging Local Plan, including an assessment of the viability of the Marlcombe New Community. ? Appointment of the examining Planning Inspector(s) and the Programme Officer by the Planning Inspectorate. ? Scheduling of the Hearing Sessions. ? Preparation of Hearing Statements. ? Undertaking the Hearing Sessions. ? Preparation of any Modifications (with supporting technical information) and any further consultation as required. ? Publication of the Inspector's Report; ? Adoption of the local plan by the Council.

3.6 To ensure that the Plan is consistent with the NPPF (and therefore 'sound'), the Council must ensure that the plan period overs a full 15-year period from the date of adoption. This is likely to require the plan period to be extended by at least a further year to 2043 and for the identified housing supply to include an additional year's provision.
Use of the Transitional Arrangements for Calculating Housing Supply

3.7 As required by the NPPF (December 2024), application of the presumption in favour of sustainable development for plan-making at paragraph 11 states that strategic policies within the Plan should, as a minimum, seek to provide for an objectively assessed local housing need using the standard method unless the application of paragraph 11 (b) (i) and (ii) justifies a lesser provision.

3.8 Paragraph 3.11 of the supporting text to Strategic Policy SP02 within the Second Regulation Consultation Plan states that the objectively assessed housing need for East Devon is 1,188 No. dwellings per annum (26,136 No. dwellings over the 22-year plan period from 2020 - 2042). This figure has not changed since the First Regulation Consultation Plan. Based upon updated housing stock and affordability ratios it is understood that the objectively assessed housing need using the standard method is 1,156 No. dwellings (25,432 dwellings over the 22-year plan period).

3.9 However, the Regulation 19 Plan proposes that provision will be made for only 950.4 No. dwellings per annum (20,909 No. dwellings over the 22-year plan period). This results in a shortfall of 4523 No. dwellings over the plan period against the objectively assessed housing needs (or 82.2% based upon the updated need figure referred to at paragraph 3.8 above).

3.10 Rather than attempting to justify a lower housing supply figure via the application of para. 11 (b) (i) (ii) of the NPPF, the Council is seeking to exploit the transitional arrangements set out at paragraph 234 at Annex 1 of the NPPF (December 2024). In doing so a housing requirement is planned that seeks to meet just 80% of the standard method output as calculated at February 2025 (i.e. 950.4 No. dwellings per annum).

3.11 As acknowledged on page 4 of the Council's report to its Strategic Planning Committee on 6th August 2024, the purpose of the transitional arrangements introduced by para. 234 of the NPPF (December 2024) were intended to "… help maintain the progress of plans at more advanced stages of production". This was not the case in East Devon where decisions regarding the housing requirement 6 figure to be included within the first Regulation 19 Plan were made after the NPPF consultation was published (July 2024). Moreover, the proposed allocations were also selected by committee in the period after the NPPF consultation including the transitional arrangements.

3.12 The Committee Report to the Strategic Planning Committee in August 2024 considered the consultation to the changes to the NPPF and the standard method and

presented two options for the local housing need figure for Members to consider, as follows: 1) to plan for at least 946 homes per annum, plus headroom, so that the Plan could be examined against the previous version of the NPPF; or 2) pursue a new Local Plan in accordance with the December 2024 version of the NPPF, which would have required 1,146 homes per annum at that time.

3.13 The report concludes: "... it makes sense to progress the local plan under option 1 as set out above and try and take advantage of the proposed transitional arrangements and benefit from the reduced requirements that would apply particularly in relation to the housing requirement figure. Even if the Council were to fail to achieve this timetable, then we would simply have to pursue a plan under option 2 instead and so it is considered that there is nothing to be lost by trying to progress under the transitional arrangements" (our emphasis).

3.14 Having regard to the above, the Council has taken a conscious decision to prepare a first Regulation 19 Plan which simply calculates 80% of the local housing need figure. Far from meeting objectively assessed needs in full, as is required by national planning policy, the Local Planning Authority have exploited, or as they put it, 'taken advantage of' the transitional arrangements to adopt a housing requirement that at the time of writing would meet only 82.2% of housing need. This results in a Plan that, if adopted on this basis, will fail to meet the housing needs of one in every five households in East Devon over the plan period.

I NT ROD U C TIO N

1.1 These representations to the Second Regulation 19 East Devon Local Plan Consultation are submitted on behalf of 3West Developments Ltd (hereafter referred to as 3W). 3W is an independent SME housebuilder based in Exeter with a successful track record of site promotion and delivery of highhousing developments.

1.2 3W controls land to the east of Higher Venmore Farm, Woodbury EX5 1LD, a c. 8 ha site located directly adjacent to the south of housing allocation Wood_10 as proposed by Policy SD11 of the Regulation 19 Local Plan. Whilst considered to comprise suitable and available housing land by the East Devon Housing and Employment Land Availability Assessment (HELAA November 2022), the land at Higher Venmore Farm (Wood_12) was discounted as a potential housing allocation by the Site Selection Report considered by the Council's Strategic Planning Committee on 3rd September 2024. The updated Site Selection Report (February 2025) similarly discounts Wood_12 as a housing allocation as part of the emerging East Devon Local Plan. Further detail in relation to Wood_12 is provided in Section 5.

1.3 Outline planning permission has since been granted on Wood_10 (ref. 23/2166/MOUT). Furthermore, 3W has now submitted an application for the approval of reserved matters (ref. 26/0016/MRES) pursuant to the outline planning permission. Crucially the layout proposed on Wood_10 includes footpath links along its southern boundary, thereby allowing safe pedestrian connectivity from Wood_12 into the village centre (and overcoming concerns expressed by the Highway Authority in this regard as part of the local plan site selection process referred to above).

1.4 3W continues to advocate that Wood_12 is a suitable and sustainable location to accommodate additional residential development required to meet the housing needs of East Devon in full when assessed against the standard method required by the current National Planning Policy Framework (December 2024) (NPPF).

1.5 Having regard to the favourable evidence within the Council's Role and Function of Settlements Report (KSD-011), 3W supports the spatial strategy proposed by Strategic Policy SP01 to identify Woodbury as a Local Centre with an important role to accommodate new development that will meet local needs and sustain local community infrastructure. However, 3W raises objections to the strategic housing supply policies within the Second Regulation 19 East Devon Local Plan, as set out below: ? In order for the emerging local plan to be 'positively prepared', and therefore found 'sound' having regard to the tests at paragraph 36 of the NPPF (December 2024), there is a need to plan for a higher housing requirement in order to more closely meet objectively assessed housing needs as defined by the standard methodology; rather than to rely upon the transitional arrangements at Appendix 1 paragraph 234 of the NPPF as is proposed by Strategic Policy SP02. 2 ? The use of a stepped housing trajectory as proposed by Strategic Policy SP02 will further reduce housing delivery within the first 12 years of the plan period to levels that are significantly below objectively assessed housing needs. ? Having regard to the shortcomings of Strategic Policy SP02, there is a need to review and increase the number of housing allocations and designated neighbourhood area housing requirements set out at Strategic Policy SP03 to apportion a higher level of housing growth to suitable and sustainable settlements (including Woodbury).

1.6 3W also raises concerns regarding the higher levels of housing to be built to Building Regulation M4(3) standards as proposed by Policy HN04 and the self-build provisions at Policy HN05.

1.7 The objections referred to are expanded on in greater detail at Sections 3, 4, 6 and 7. The development opportunity at Wood_12 is set out in Section 5. 2 . THE NA TIO N AL P LAN NIN G POLI CY FR AMEWO RK (NP PF)

2.1 Annex 1 (para. 234) of the NPPF (December 2024) confirms that for the purposes of plan-making, from 12th March 2025, the current version of the NPPF will be used,

unless one or more of the following apply: a) the plan has reached Regulation 19 (pre-submission stage) on or before 12th March 2025 and its draft housing requirement meets at least 80% of local housing need; b) the plan has been submitted for examination under Regulation 22 on or before 12th March 2025; c) the plan includes policies to deliver the level of housing and other development set out in a preceding local plan adopted since 12th March 2020; d) the local plan is for an area where there is an operative Spatial Development Strategy and the local plan has reached Regulation 19 stage on or before 12th March 2025; or e) the plan only deals with minerals and/or waste matters and has reached Regulation 19 stage, on or before 12th March 2025, or it has been submitted for examination under Regulation 22 on or before 12th March 2025.

2.2 As referred to by paragraph 3.11 of the Second Regulation 19 Plan, the Council considers that by employing a housing requirement that is above 80% of the objectively assessed need for housing derived from the latest standard method calculation, they benefit from the transitional arrangements provided within Annexe 1 of the NPPF (December 2024). Consequently, the Council expects that the emerging Local Plan will be examined against the 2023 version of the NPPF, and not the current version.

2.3 For the reasons set out in their response to Policy SP02 below, 3W considers that the transitional arrangements should not apply and that the plan should be considered against the current version of the NPPF (December 2024), the relevant policies of which are summarised below.

2.4 Para. 11 states that plans and decisions should apply a presumption in favour of sustainable development. For plan-making para. 11 b) states that strategic policies should as a minimum provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless: i) the application of policies in the NPPF that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

2.5 Para. 15 confirms that the planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area, a framework for meeting housing needs and 3 addressing other economic, social and environmental priorities and be a platform for local people to shape their surroundings.

2.6 Para. 16 states that plans should: a) be prepared with the objective of contributing to sustainable development; b) be positively prepared, but deliverable; c) shaped by effective engagement; d) contain policies that are clearly written and unambiguous; e) be accessible through the use of digital tools; and f) serve a clear purpose, avoiding unnecessary duplication.

2.7 Para. 17 states that development plans must include strategic policies to address an area's priorities for development and the use of land. Para. 20 states that strategic policies should set out an overall strategy for the pattern, scale and design quality of places and make sufficient provision for, inter-alia, a) homes (including affordable housing), employment, retail, leisure and other commercial development; b) infrastructure; c) community facilities and d) conservation and enhancement of the natural, built and historic environment and measures to address climate change mitigation and adaptation.

2.8 Para. 22 states that strategic policies should look ahead over a minimum 15-year period from adoption to anticipate and respond to long-term requirements and opportunities. Where large scale developments such as new towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take account of the likely timeframe for delivery.

2.9 Para. 23 states that strategic policies should provide a clear strategy for bringing land forward, and at a sufficient rate, to address objectively assessed needs over the plan period, in line with the presumption in favour of sustainable development. This should include planning and allocating sufficient sites to deliver the strategic priorities of the area.

2.10 Para. 36 states that local plans will be examined to assess whether they have been prepared in accordance with legal and procedural requirements and whether they are sound. Plans are 'sound' if they are: a) positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs and is informed by agreements with other authorities, so that unmet need from a neighbouring area is accommodated where it is practical to do so and is consistent with achieving sustainable development; b) justified – an appropriate strategy, taking into account reasonable alternatives and based on proportionate evidence; c) effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and d) consistent with national planning policy – enabling the delivery of sustainable development in accordance with the policies in the NPPF and other statements of national planning policy, where relevant.

2.11 Para. 61 confirms that in order to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed and that the needs of groups with specific housing requirements are addressed. The overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community.

2.12 Para. 62 stats that to determine the minimum number of homes needed, strategic policies should be informed by a local housing needs assessment, conducted using the standard method.

2.13 Para. 69 states that strategic policy making authorities should establish a housing requirement for their whole area which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period. This requirement may be higher than the identified housing need if , for example, it includes provision for neighbouring areas, or reflects growth ambitions linked to economic development or infrastructure investment. Within this overall 4 requirement, strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy of the pattern and scale of development and any relevant allocations.

2.14 Para. 72 states that strategic policy-making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of: a) specific, deliverable sites for five years following the intended date of adoption; and b) specific, developable sites or broad locations for growth for the subsequent years 6 to 10 and, where possible, for years 11-15 of the remaining plan period.

2.15 Para. 73 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes, and are often built out relatively quickly.

2.16 Para 78 states that strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Having regard to the above, 3W considers that Strategic Policy SP02 has not been 'positively prepared' and is not consistent with national policy, an underlying objective of which is to significantly boost the supply of homes. Consequently, Policy SP02 cannot be considered 'sound' against the tests set out at para. 36 of the NPPF.

3.16 In order to be found 'sound', it is considered that Strategic Policy SP02 should be amended to increase the housing requirement to 1,156 No. dwellings per annum

(25,432 over the plan period from 2020 – 2042) and by a further 1,156 No. dwellings per year if the plan period is extended.

Full name: Neil Mantell

Organisation (where relevant): LRM Planning

Other party name (if relevant): David Wilson Homes

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: /// Continued from 6978b51b68a761af08b54a73 ///

6.45 Consequently, the use of a stepped trajectory, which will widen the gap further between the local housing need and the housing requirement in the first 12 years of the Plan, further strengthens the view that the emerging Local Plan cannot be considered to be positively prepared, justified or consistent with national planning policy. 6.46 DWH's concerns on the proposed use of a stepped trajectory are set out in Section 7. Boosting significantly the supply of new homes 6.47 Para. 60 of the 2023 version of the NPPF confirmed that it was the Government's objective to significantly boost the supply of homes. This objective has been reconfirmed at para. 61 of the 2024 version of the NPPF. 6.48 The current East Devon Local Plan, which was adopted in 2016 and therefore before the 2023 and 2024 versions of the NPPF were published, seeks, as a minimum, to provide 17,100 homes over its 18 year plan period. This is the same housing requirement that is currently being proposed in the emerging Local Plan Review as an annualised average, although DWH note that over the first 12 years of the Plan, the requirement is proposed to be lower than the requirement contained within the adopted Local Plan. 6.49 Given the above, in DWH view, the proposed housing requirement is not consistent with the national planning policy objective of significantly boosting the supply of homes, for, at best, it seeks a continuation of the current requirement. 6.50 Moreover, the present PPG confirms that the affordability adjustment is applied in order to ensure that the standard method for assessing local housing need is consistent with

the national policy objective of significantly boosting the supply of homes19. It follows that a requirement that was set lower than the local housing need figure would not be consistent with the national policy objective of significantly boosting the supply of homes. Jobs and homes balance 6.51 Strategic Policy SP04 confirms that the Local Planning Authority is seeking to provide a quantum of employment land provision to meet the needs identified by the 'mid-point clean growth scenario' established by the Economic Needs Assessment (Document ECN-001), with a significant flexibility allowance to ensure a range and choice is provided (a total of 175ha of land has either been constructed since 2020, is committed development or is an existing or proposed allocation, against a requirement of 80ha). 6.52 Figure 2 of Document ECN-009 confirms that under the clean growth scenario, there would be a change of employment in East Devon of 11,121 over the period 2020 to 2042. A comparison between the number of workers that would result from a housing provision of 946 homes per annum and the clean employment growth scenario proposed in the emerging Local Plan is provided at Figure 4. For East Devon it shows that there would be a shortfall of 792 workers to meet the number of jobs that would be provided from the clean growth scenario over the plan period. Using the proportion of workers to homes specified at para. 15 of Document ECN-009, LRM Planning have forecast the shortfall to equate to be between 450 and 540 homes20 . 19 MHCLG, Planning Practice Guidance, Housing and Economic Needs Assessment, Paragraph: 006 Reference ID: 2a-006-20241212. 20 It is noted that the assessment was carried out on the basis of a housing provision of 946 homes per annum. If the emerging Local Plan's housing provision was used, the shortfall in homes would reduce to around 450 homes. SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 32 6.53 Document HOU-002(rev) references "a small shortfall of workers contained in the standard method dwelling target21" when considered against the clean growth scenario and concludes that: "...this deficit is extremely small, so there is no case for a housing requirement figure higher than the standard method in East Devon. Across the combined area of East Devon, Exeter, Mid Devon and Teignbridge there is a sizeable surplus of workers to jobs." 6.54 It should be noted that as confirmed at para. 5 of the Report, the standard method figure used in the assessment was 946 homes per annum, which aligns with the housing requirement in the emerging Local Plan. This conclusion also needs to be read in the context of the then standard method figure of 893 homes per annum (calculated using the previous version of the standard method) and the more up-to date version and output. 6.55 As indicated above, LRM Planning have calculated the shortfall to be between 450 and 540 homes. This equates to 47% and 57% of the annual average housing provision proposed within the emerging Local Plan. This is not considered to be "extremely small" and is instead considered to be a material shortfall. 6.56 A reliance on neighbouring authorities to address this imbalance, as is suggested in para. 6.10 of Document HOU-002(rev) is also not considered to be a justified approach as it could result in undesirable effects, including longer commuting distances to work. As

suggested below, this has not been considered within the supporting evidence base, including the Sustainability Appraisal. 6.57 In any event, the shortfall would become even more pronounced if a greater level of employment land was to come forward over the plan period than the clean growth scenario suggests is necessary. This is particularly relevant as Policy SP04 identifies a potential supply of employment land that is more than double that the clean growth scenario suggests is necessary. Unmet need from neighbouring authorities 6.58 Para. 11(b) of the 2023 version of the NPPF confirms that strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless the application of parts (b)(i) and (ii) apply. This is reiterated at para. 26. In addition, para. 61 confirms that in addition to the local housing need figure, any needs that cannot be met in neighbouring areas should also be taken into account in establishing the amount of housing to be planned for. 6.59 Table 1 of Document CSD-010b confirms the Local Authorities that are relevant to the consideration of meeting East Devon's housing requirement and the housing requirements of other authorities. It is noted that in relation to East Devon's own needs, the following authorities are listed: ? Dorset Council; ? Somerset Council; ? Mid Devon District Council; ? Exeter City Council; and ? Teignbridge District Council. 6.60 In addition to the list above, Torbay Council is listed as a body relevant to meeting the housing requirements of other authorities. 21 Para. 6.10. SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 33 6.61 The analysis provided at Section 5 of Document CSD-010b confirms that given the stage of Plan preparation, Dorset Council are uncertain as to whether they are able to meet their local housing need, but there is acknowledgement in the evidence base document that "various constraints limit development options in Dorset22." 6.62 Torbay Council, on the other hand, have "repeatedly advised neighbouring councils in the adjoining Housing Market Areas /Functional Economic Market Areas that Torbay will not be able to meet the local housing need target set by the Government's Standard Method" and that "..on the basis that no account had been made for the need to accommodate unmet needs from neighbouring areas, specifically Torbay and requested that East Devon meet part of its housing requirement23." 6.63 Whilst the alterations proposed to para. 3.8 of the emerging Local Plan are noted, the Plan could and should be doing more to help meet needs over a wider geography, particularly in the case of Torbay Council, where a shortfall has been identified. Implications of increasing the plan period 6.64 If, as is suggested in Section 4 above, there is a need to extend the plan period by a further monitoring year, then there would be the need to increase the housing requirement by: ? Local Planning Authority approach – 950 homes; or ? Local housing need approach – 1,156 homes. Ministerial letter to the Planning Inspectorate 6.65 It is noted that on 9th October 2025, the Minister of State for Housing and Planning issued a letter to the Planning Inspectorate concerning the plan-led system. Reference is made in the letter to ensuring that Inspector's approach examinations with an appropriate degree of

flexibility. Reference was specifically made to cases where Inspector's had made pragmatic decisions to proceed towards adoption, but where the plan in question had significantly boosted the supply of housing, whilst also meeting housing needs over the plan period. 6.66 As outlined above, neither scenario is relevant in East Devon; the proposed housing provision mirrors that of the 2016 East Devon Local Plan and therefore will not significantly boost supply and will not provide a level of housing that meets identified local housing needs. ABILITY TO ACCOMMODATE A GREATER PROPORTION OF HOUSING 6.67 The following section considers whether there is the potential to accommodate a greater proportion of housing within East Devon. Theoretical supply 6.68 Table 1 of the 2022 Housing and Economic Land Availability Assessment (HELAA – Document HOU003) confirms that there is a theoretical supply of housing land sufficient to accommodate 39,888 homes. This comprises the following sources of supply: 22 Para. 5.3. 23 Para. 5.11 SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 34 TABLE 3: HELAA CONCLUSIONS SOURCES OF SUPPLY NO. OF DWELLINGS (APPROX.) Available, suitable and achievable sites 27,088 Completions 1st April 2020 to 31st March 2022 1,906 Commitments at 31st March 2022 4,389 Cranbrook DPD 4,170 Windfall allowance 2,335 Total 39,888 6.69 This is a significantly higher level of housing than the local housing need calculation. Market absorption 6.70 Table 19 of Document HOU-004(rev)c demonstrates that rates of housing delivery greater than 1,000 dwellings per annum have previously been achieved in 2014/15, 2015/16, 2019/20 and 2021/22. Delivery is also forecast to be higher than the local housing need figure for monitoring year 2025/26 (1,157 completions). Sustainability Appraisal 6.71 The Regulation 19 Sustainability Appraisal (Document CSD-003(rev)) tested three options for the housing requirement within East Devon, as follows: ? Option A - 950 dwellings per annum (20,909 dwellings over the plan period); ? Option B - 1,045 dwellings per annum (22,990 dwellings over the plan period); and ? Option C - 1,188 dwellings per annum, a total of 26,136 dwellings over the Local Plan period. 6.72 Option A is the proposed approach in the consultation version of the Local Plan, whilst Option C reflects the local housing need figure at the time that the first Regulation 19 consultation was published. 6.73 None of the options tested in this latest consultation relate to the most up-to-date local housing need figure, calculated via the standard method (1,156 homes per annum); indeed, despite testing a higher option (Option C), the Local Planning Authority concluded that the current local housing need figure was: "…not considered a reasonable alternative as the Local Plan is not changing significantly between the two Regulation 19 stages, to comply with government guidance on Local Plan transitional arrangements. Changing the housing requirement is considered a significant change, so not within the scope of the Second Regulation 19 Publication Draft Local Plan." 6.74 This emphasises again that the Local Plan has been formed in a manner that does not intend to meet needs in full and instead seeks to exploit the transitional arrangements provided by the December 2024 version of the NPPF. SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT

CONSULTATION 35 6.75 DWH are of the view that at the very least, this option should have been tested, for it would have given full and proper effect to Objective 3 of the emerging Plan (to meet people's housing needs) and the element of the Plan's vision that relates to ensuring that urban areas and towns and villages grow to meet future needs. Dismissing such an obvious reasonable alternative at this stage suggests pre-determination of the outcome. It further demonstrates that the Local Planning Authority's focus was purely on providing the minimum quantum of homes required by the transitional arrangements and not, as is suggested in the Plan, being serious about meeting local needs. 6.76 The Local Planning Authority's analysis concludes that Option A is the preferred option, as it will deliver a significant amount of new housing at a level that is consistent with the NPPF, with less adverse environmental effects. Conversely, Options B and C were rejected due to the significant adverse environmental impacts of delivering a higher level of housing. 6.77 However, having reviewed the analysis set out in the document, DWH considers it to be significantly flawed, for the following reasons: ? it is assumed that any additional growth above Option A would be directed to a third new community, ignoring the contribution that sites like land to the west of Lilypond Lane, Whimple, can make towards meeting needs; ? despite Option A failing to provide for just over one in every five homes required and providing no step change in the housing provision figure from the 2016 Local Plan, it scores the same for SA Objective 8 (homes) as Options B and C, the latter of which would result in needs being met in full and a greater level of affordable housing; ? despite the requirement for developments to mitigate and compensate for any impacts and to provide a 10% net gain (or greater if the emerging Local Plan is adopted in its current form), the harm to biodiversity is assessed as being greater for Options B and C, than A. It is noted that the impacts of higher levels of housing on UK National Site Network sites are identified as being greater in Options B and C than A. This, however, does not recognise the operation of the Habitats Regulations, which requires, unless imperative reasons of overriding public interest are demonstrated, for development to not, individually, or cumulatively, adversely affect the integrity of such sites; ? no confirmation of where the additional growth above Option A would be located is provided. Despite this, there is an assumption that the additional growth would have a greater harm to the historic and built environment. This analysis particularly ignores the requirements of para. 212 of the 2023 version of the NPPF; ? no assessment of the ability for on-site treatment, including multi-stage treatment and waste water treatment plants, such as that proposed at the new community, is provided to offset any effects on the Exe Estuary SPA or the River Axe SAC; ? the lower score for Options B and C against SA Objective 10 (access to services) is predicated on the additional growth being accommodated in a new town and that new town providing fewer services. It does not consider how the higher levels of development proposed under Options B and C could have been dispersed to existing settlements with existing services and facilities; ? all options score the same for jobs and employment, as, inter alia, they would result in the provision of housing for the

workforce. However, as demonstrated above, the housing provision contained within the emerging Local Plan does not result in a level of housing to support the workforce required by the 'clean growth' approach, which has been adopted in the emerging Local Plan. As outlined in the Local Housing Needs Assessment, housing in neighbouring authorities is required to ensure an adequate workforce, which would result in more pronounced negative outcomes for other SA Objectives than has currently been assessed (i.e. SA Objectives 4 and 13); and SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 36 ? the analysis provided for SA Objective 13 (connectivity and transport) ignores the opportunities to accommodate additional levels of growth at sustainable settlements, such as Whimple, where services, facilities and active and sustainable transport opportunities exist. 6.78 It is instructive to note that the analysis contained within the Sustainability Assessment did not conclude that there was an over-riding infrastructure or environmental capacity constraint that would prevent the full objectively assessed need being accommodated. The analysis simply expresses a preferred option, but based on what DWH consider to be a flawed assessment process. 6.79 Analysis provided at Appendix 5 of these representations suggests that a requirement that met local housing needs should have been the preferred option. SYNTHESIS 6.80 As outlined in the NPPF, there is a need for the Local Planning Authority to establish a local housing need figure, using the standard method and then, through the operation of para. 11(b) of the NPPF, to seek to meet as much of the local housing need as possible, through the Plan's housing requirement. 6.81 Whilst there are two potential options for calculating local housing needs, it appears that both DWH and the Local Planning Authority agree that in the case of East Devon, it should be calculated using the existing standard method, which suggests that the local housing need is presently 1,156 dwellings per annum. 6.82 However, rather than planning for this local housing need figure, the Local Planning Authority propose to meet just 82.2% of need. Rather than justifying this through the application of para. 11(b) of the NPPF, the Local Planning Authority do so via the application of the transitional arrangements. However, as acknowledged by the Local Planning Authority, the transitional arrangements were established in the 2024 version of the NPPF for plans which were at an advanced stage of production. This was not the case in East Devon, where decisions around the housing requirements and supply were made after the Summer 2024 NPPF consultation. The Local Planning Authority therefore made a conscious decision to not plan for the local housing need figure without seeking to engage the tests of para. 11(b) of the NPPF. DWH considered that this approach is not positively prepared or consistent with national planning policy. 6.83 There are other reasons for establishing a housing requirement that seeks to meet the established local housing need figure, as follows: ? the proposed housing requirement would not meet needs in full. It would therefore not accord with the NPPF, nor give effect to related objectives in the plan and its vision; ? by planning to meet only 82.2% of identified needs, undersupply between the base date of the 2016 Local Plan and the start of the emerging plan period will not have been

accounted for. The shortfall over that period is some 2,100 homes; ? as set out in the PPG, the standard method derived local housing need figure is a quantum of housing that will start to address housing affordability. By planning for a significantly lower quantum, the housing requirement in the emerging Local Plan will not start to address housing affordability in East Devon and could even exacerbate it; ? in the period 2020/21 to 2031/32, a stepped trajectory is proposed, which would see only 73.5% of local needs being met (i.e. a shortfall of some 3,672 homes); ? the proposed housing requirement is not consistent with the Government objective of boosting significantly the supply of homes, for it proposes the same housing requirement as contained within the 2016 Local Plan; ? it results in a quantum of workers that could undermine the Plan's economic growth ambitions; ? It does not respond to any potential unmet needs in Torbay and Dorset; SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 37 ? as set out in the previous section, there is a need to extend the plan by one further year, which will mean that the overall requirement will need to be increased; and ? evidence shows that the local housing need could be accommodated.

Full name: Neil Mantell

Organisation (where relevant): LRM Planning

Other party name (if relevant): The Cherwell Group

Proposal:

3. The Spatial Strategy

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

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

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

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

5.1 The following section provides a broad assessment of the proposed housing land supply contained within the emerging Local Plan. It specifically concerns lead-in times associated with the Marlcombe new community. LEAD -I N TI ME S AS SOCI ATED WI T H T HE MARL COMBE NEW COMMU NI TY

5.2 In order to meet the proposed housing requirement, the Local Planning Authority have rightfully identified the need for strategic housing allocations. Housing monitoring information confirms that strategic allocations have provided a valuable and consistent component of supply and will continue to do so (Document HOU-004(rev)c).

5.3 Over the period 2013/14 to 2024/25, the strategic allocations located within the West End contributed just under 50% of total housing completions (5,325 homes out of 10,702 net total completions), with Cranbrook alone contributing approximately 29% of supply over that period. Moreover, Table 14 of the latest Housing Monitoring Update8 demonstrates that the expansion areas at Cranbrook will provide a further valuable source of housing over the period 2026/27 to 2030/31, whilst Document HOU-004(rev)d confirms delivery at Cranbrook will continue in the period beyond 2030/31.

5.4 Notwithstanding the above, so as to ensure that the housing requirement is deliverable over the plan period, which in turn ensures that the emerging Local Plan is effective and consistent with national policy, there is a need that the components of housing supply will deliver as anticipated by the Plan.

5.5 As the largest allocation proposed within the emerging Local Plan, the delivery assumptions for the second new community should be carefully considered. Para. 74(d) of the 2023 version of the NPPF confirms that when planning for largescale

development, such as a new community, Local Planning Authorities should, amongst other things, make a realistic assessment of the likely rates of delivery, given their lead-in times, and identify opportunities for supporting their rapid implementation.

5.6 As with any strategic site, it is likely that it will take a number of years to achieve first completions, with ordinarily, the following stages being required: ? the pre-application advice process; ? the submission and determination of an outline planning application (resolution to grant); ? the completion of the Section 106 Legal Agreement; ? site acquisition; ? preparation of pre-reserved matters applications, such as a design code; ? preparation of (a) reserved matters application(s); ? submission and determination of (a) reserved matters application(s); ? submission and discharge of any pre-commencement and pre-occupation planning conditions and obligations; ? site clearance/infrastructure servicing; and 8 HOU-004(rev)c. SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 19 ? first legal completions.

5.7 Research undertaken by Lichfields9 indicates that the median timeframe for an application of over 2,000 homes to be validated to the first detailed permission (which could be either an outline and a reserved matters application, or hybrid/full application) is 5.1 years. Whilst it is acknowledged that the new community is likely, given land ownerships, to be brought forward via multiple applications pursuant to a site wide masterplan, which could seek permission for a smaller quantum of development on an individual basis, it provides a conservative, yet realistic timeframe for a development of the comprehensive scale being proposed. Lichfields then conclude that sites of over 2,000 dwellings will take 1.6 years to move from the first planning permission to first completions. Consequently, they predict that for a site of the scale of the proposed new community, the overall lead-in time to first completions is 6.7 years.

5.8 At a local level, the most obvious comparisons are the Expansion Areas at the Cranbrook new community. An application by a national housebuilder on the Cobdens Expansion Area was submitted at the end of March 2022 (ref: 22/0406/MOUT). East Devon District Council resolved to grant approval on the Expansion Area in April 2023 (as amended by a second resolution in December 2023) and outline planning permission was approved in April 2024. Consequently, planning permission was achieved in just over two years. The Council's latest housing Monitoring Report confirms that first completions from the Expansion Area are forecast in monitoring year 2026/27, with a reserved matters application already having been submitted for over 300 homes (ref: 25/1692/MRES). This analysis suggests that it will take under five years from submission of the outline planning application to first completions at the Cobdens Expansion Area. Consequently, there exists, particularly where the first application is made by a national housebuilder, the potential to accelerate delivery from the new community beyond that advocated by Lichfields. Build out rates

5.9 Lichfields' analysis confirms that for developments of 2,000 dwellings or more, the average annual completion rate ranges from 100 to 188 dwellings per annum. They do, however, identify three sites where the annual average build-out rate was in excess of 200 dwellings per annum. Again, looking more locally, over the period 2012/13 to 2023/24, a total of 3,063 homes were constructed at Cranbrook10, which provides an annual average completion rate of 255 homes. Delivery peaked in 2013/14 at just under 420 completions. This average rate of delivery was also achieved whilst other developments in close proximity to Cranbrook and within the West End were also delivering, including Redhayes (Tithebarn Green/Mosshayne) and Pinhoe, which could have impacted on the 'absorption rate.' Again, it indicates that, historically, annual average delivery rates greater than Lichfields analysis have recently been achieved within the West End.

5.10 It is acknowledged that the rates of delivery from Cranbrook were achieved in differing economic circumstances, but equally delivery from the new community is envisaged over the medium and longer terms and therefore over a full economic cycle.

5.11 Moreover, Table 12 of Document HOU-004(rev)c also envisages an annual average delivery rate of 291 homes per annum from the Cranbrook Expansion Areas over the period 2026/27 to 2030/31. Excluding the first year of completions, which are ordinarily lower, annual average delivery rates are anticipated to be just under 350 homes per annum. 9 Lichfields, 'Start to Finish,' March 2024. 10 Document HOU-001, Appendix 2. SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 20 SY N THESI S Lead-in times

5.12 The analysis undertaken by Lichfields suggests that it will take 6.7 years from the submission of a valid planning application to first legal completions. More locally, the Cobdens Expansion Area is forecast to come forward within five monitoring years from the submission of the first planning application.

5.13 Based on more locally specific examples, and an assumption that at least one planning application on the new community would be submitted by the time of the Local Plan Examination in Public, a realistic lead-in time until first legal completions is set out in Table 1 below. TABLE 1: LEAD-IN TIME FOR THE NEW COMMUNITY LOCAL PLAN PREPARATION PRE-APP PROCESS SUBMISSION TO DETERMINATION RESERVED MATTERS AND CONDITIONS SITE CLEARANCE AND INFRASTRUCTURE FIRST COMPLETIONS 2020/21 2021/22 2022/23 2023/24 2024/25 2025/26 2026/27 2027/28 2028/29 2029/30 2030/31 2031/32

5.14 On the basis of the lead-in times outlined above, this would leave 11 monitoring years for the 3,300 homes envisaged by Strategic Policy WS01 to be delivered by 2042. This equates to an annual average delivery rate of 300 homes per annum. Whilst this represents an increase in the long-term historic delivery rates at Cranbrook, it is a long-

term rate of delivery that has been achieved across SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 21 the West End as a whole (444 homes per annum since 2013/14) and it accords with the rate of delivery forecast from the Cranbrook Expansion Areas for the period 2026/27 to 2031/32. Accordingly, it is considered that the planned provision proposed for the second new community is aspirational, but a deliverable proposition. Therefore, the quantum of development proposed for the second new community over the plan period (3,300 homes) will be effective.

5.15 However, the historic rates of delivery within the West End and Cranbrook were only achieved because multiple outlets were all delivering homes at the same time. To achieve the rates of delivery anticipated for the second new community, there will again be the need for multiple outlets delivering at least from both the north and the south simultaneously, potentially providing a variety of products. This is anticipated in Document NWC-00311.

5.16 The achievement of this trajectory for the new community will be dependent on the submission of (a) planning application(s) in monitoring year 2026/27. Any delay in the determination of any planning application, including in relation to the notion of the establishment of a development corporation, for compulsory purchasing land within Marlcombe or the production of a subsequent development plan document and/or a supplementary planning document (SPD), would risk the delivery of the full 3,300 homes coming forward over the plan period. The Cherwell Group note the requirements of para. 74(d) of the NPPF, which suggests that the Local Planning Authority should be identifying opportunities for rapid implementation.

5.17 Noting the current five-year housing land supply issues within East Devon over the recent past, the delivery of the Marlcombe new community, could, once delivery is underway, help smooth out future delivery dips and prevent reliance on windfall sites and/or speculative planning applications.

Full name: Neil Mantell

Organisation (where relevant): LRM Planning

Other party name (if relevant): David Wilson Homes

Proposal:

3. The Spatial Strategy

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: SPATIAL STRATEGY AND THE DISTRIBUTION OF DEVELOPMENT - MODIFICATION REQUIRED ? Whilst DWH is generally supportive of the Plan's proposed spatial strategy, which focuses growth in the West End, they consider that Whimple should be afforded a greater role in the Plan's spatial strategy. The settlement has a similar level of services and facilities as Tier 3 settlements and demonstrably more than larger Tier 4 settlements. It also benefits from strong active and sustainable transport connections with the West End (which is located only 1km to the west). These active and sustainable transport connections are also to improve over the plan period. Therefore, it is an unjustified proposition to identify Whimple as a Tier 4 settlement. It would be more justified to uplift its status to a Tier 3 settlement. ? With an increase in its status, Whimple should be afforded a greater role in meeting the District's unmet housing needs. A greater focus of development at Whimple would also accord with the Plan's wider spatial strategy, which seeks to focus development in the West End, which is only 1km to the west. POLICY SP02 ? Rather than seeking to address housing needs in full, which is an objective of the Plan, the housing requirement seeks to meet just 82.2% of the local housing need figure (950 homes per annum, in comparison to 1,156 homes per annum). This results, over the plan period, of a

requirement that is 4,523 homes fewer than is required to meet needs. The shortfall is even more pronounced in the Plan's first 12 years, where the lowest element of the stepped trajectory is proposed. ? Rather than attempting to justify the lower requirement to the local housing need figure via the operation of para. 11(b) of the NPPF, the Local Planning Authority seeks to exploit the transitional arrangements set out in the

December 2024 version of the NPPF. ? However, rather than, as was intended by the transitional arrangements, it being used due to the Plan being at an advanced stage of preparation, decisions regarding the housing requirement and components of supply were made after the publication of the consultation version of the NPPF and the revised standard method in Summer 2024. ? Through the exploitation of the transitional arrangements and consciously deciding not to meet needs in full, the Plan cannot be considered to be positively prepared, or consistent with national planning policy. ? There are other reasons that the housing requirement should be increased to the local housing need figure, including:

– it would be consistent with the Government objective to boost the supply of housing;

– the PPG confirms that the local housing need figure would start to address housing affordability;

– the proposed housing requirement would result in an insufficient quantum of workers to support the clean growth economic projection adopted in the Plan;

– the overall requirement (20,909 homes) would not provide a housing requirement for a full 15 years from the adoption of the Plan;

– the theoretical supply of homes is large enough to accommodate a higher requirement;

– the market has previously absorbed higher levels of housing; and

– DWH analysis suggests that a requirement that aligns with the local housing need figure should have been the preferred option as assessed within the Sustainability Appraisal. ? Should the Local Planning Authority continue to plan on the basis of a lower housing requirement, then there will be a need to incorporate the shortfall from the 2016 Local Plan over the period 2013/14 to 2019/20 (approximately 2,100 dwellings), as this shortfall will not have been taken into account. STRATEGIC POLICY SP02 – THE STEPPED TRAJECTORY – MODIFICATION REQUIRED 10.3 DWH object to this stepped trajectory as it does not accord with national planning guidance set out in the PPG. Specifically, the Local Planning Authority have failed to demonstrate adequately that there is a significant change in the housing requirement between the existing and the emerging Plan. Moreover, analysis undertaken by DWH demonstrates that the proposed allocations, particularly the new community, are to deliver relatively quickly after adoption of the emerging Local Plan. The lack of supply in the early years of the Plan relates more to the delays with existing committed sites than proposed allocations. 10.4 Moreover, there are other reasons that a stepped trajectory should not be employed in the emerging Local Plan, including: ? it resulting in a requirement for the first 12 years of the Plan that is below historic delivery rates; ? it retrospectively applying

a lower housing requirement than the existing Development Plan for the period prior to the adoption of the emerging Local Plan;

SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 60 ? the stepped trajectory for the first 12 years of the Plan resulting in a housing requirement that would only provide 74% of the annualised objectively assessed need for housing; ? it would not accord with the Government objective to significantly boost the supply of housing; ? it would likely delay the supply of new affordable housing to later in the plan period; ? it resulting in a level of workers that could constrain economic growth and activity in the first 12 years of the Plan; and ? the level of the 'step' in the trajectory not having been subject of consideration in the Sustainability Appraisal. 10.5 Given the above, DWH consider that the use of the stepped trajectory does not accord with national planning policy, nor can it be considered to be a justified strategy. HOUSING SUPPLY ? Having regard to evidence published by Lichfields and forecast delivery from the Cranbrook expansion areas, DWH consider that first completions will occur at the second new community later than the Local Planning Authority considers. This will have implications for demonstrating a five year supply on adoption of the Plan and forecast completions over the plan period. ? Having regard to the delays in the delivery of allocations within the 2016 Local Plan, a greater flexibility allowance (15%) should be provided. ? When removing the stepped trajectory, planning for a higher requirement and accounting for the delays in the delivery of the second new community, a five year supply would not be demonstrable on adoption of the Plan. When shortfall is accounted for up to 2020, a five year supply would not be demonstrable for the first five years of the Plan. ? DWH consider that there is, acknowledging the shortfall in forecast completions against the requirement, a need to identify more non-strategic small and medium sized sites, to help to ensure a continuity in housing supply in the period up to 2032 in particular. It has been demonstrated that land to the west of Lilypond Lane, Whimple, could be completed in that timeframe and make a meaningful contribution to addressing the shortfall. ? Consideration should also, given the historic issues with the delivery of allocated sites, be given to identifying reserve sites. EVIDENCE BASE ? The HELAA assessment of land to the west of Lilypond Lane incorrectly concludes that the site is 'probably undeliverable.' The technical work prepared on behalf of DWH demonstrates that it is suitable, available and achievable for residential development. ? Moreover, by not re-considering the HELAA assessment of site WHIM_12, despite evidence being provided on at least three occasions, the process adopted by the Strategic Planning Committee when selecting sites in Autumn 2024 was unfairly prejudicial, particularly when relying on an obviously outdated and flawed assessment. ? The assessment of alternative levels of housing provision within the Sustainability Appraisal is flawed. A re-assessment of Options A to revised C, which is provided at Appendix 5 of these representations, would suggest that revised Option C is preferrable.

Revised analysis would suggest that by failing to plan for Option C, which is the preferred outcome, the emerging Local Plan is ineffective. To ensure that the Plan is effective and sound, there is a need for the Local Plan to incorporate a housing requirement that, as a minimum, meets local housing needs. ? The Sustainability Appraisal does not consider the development potential of land to the west of Lilypond Lane. It is assumed that this is because of the conclusions presented within the HELAA. For the reasons set out above, this is an incorrect conclusion. The reasonable alternative

presented by the site has not therefore been considered, which means that the Plan is unjustified. ? The Role and Function of Settlements background paper describes Whimple as being a dormitory settlement and a “relatively unsustainable” place to live. This analysis is overly simplistic and is unjustified. It ignores, relative to its size, the services and facilities in the settlement and the significant existing active and sustainable transport opportunities provided at Whimple and the potential for them to be enhanced. ? A complete and costed list of projects for the Marlcombe new community needs to be provided, as well as a bespoke viability assessment.

Full name: Neil Mantell

Organisation (where relevant): LRM Planning

Other party name (if relevant): David Wilson Homes

Proposal:

3. The Spatial Strategy

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

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

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

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

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

INTRODUCTION

8.1 The following section of this representation provides a broad assessment of various components of the proposed housing land supply contained within the emerging East Devon Local Plan. It specifically concerns: ? the second new community; ? the proposed flexibility allowance; ? housing land supply in the first five years after adoption of the Local Plan; ? the role of small and medium sized sites; and ? reserved sites.

8.2 Each is addressed in turn below.

8.3 Summarily, it confirms that: ? The lead in times associated with the second new community are unlikely to occur as predicted by the Local Planning Authority. DWH considers that it is more likely that first occupations will occur in monitoring year 2031/32. This will mean that 360 dwellings are removed from the five year supply on adoption of the Plan. It means that over the short term, the Local Planning Authority's assumptions are not effective. ? The flexibility allowance provided within the emerging Plan is too low. Having regard to evidence prepared by DWH it is not justified. A lower flexibility allowance would risk the delivery of the housing requirement and could therefore be ineffective. It is therefore unsound. Based on evidence, it is suggested that a 15% flexibility allowance is used. ? An adequate supply of specific, deliverable sites for five years following the adoption of the Local Plan will not be demonstrable. Consequently, the Plan conflicts with the requirements of para. 69 of the NPPF. It is therefore unsound. ? There remains an ongoing and important role for small to medium

sized sites to provide a continuity in housing land supply, particularly in the first half of the plan period. In this regard, attention is drawn to the deliverable housing opportunity at Lilypond Lane, Whimple. THE SECOND NEW COMMUNITY

8.4 We note that Appendix 4 of document HOU-001 indicates that delivery from the new community will occur from 2029/30. However, as set out in the same document, there are long lead in times associated with strategic developments, such as new towns.

8.5 So as to ensure that the objectively assessed need for housing is deliverable over the plan period, which in turn will ensure that the emerging Local Plan is positively prepared, justified and consistent with national policy, there is a need to ensure that the components of housing supply will deliver as anticipated by the Plan.

8.6 As the largest allocation proposed within the emerging Local Plan, the delivery assumptions for the second new community should be carefully considered. Indeed, para. 74(d) of the 2023 version of the NPPF confirms that when planning for largescale development, such as a new community, Local Planning Authorities should, amongst other things, make a realistic assessment of the likely

 rates of delivery, given their lead-in times, and identify opportunities for supporting their rapid implementation.

8.7 Even with accelerated routes to first completions being employed, it is likely that it will take a number of years to achieve first completions, with ordinarily, the following stages being required: ? the pre-application advice process; ? the submission and determination of an outline planning application (resolution to grant); ? the completion of the Section 106 Legal Agreement; ? site acquisition; ? preparation of pre-reserved matters applications, such as a design code; ? preparation of (a) reserved matters application(s); ? submission and determination of (a) reserved matters application(s); ? submission and discharge of any pre-commencement and pre-occupation planning conditions and obligations; ? site clearance/infrastructure servicing; and ? first legal completions.

8.8 Research undertaken by Lichfields26 indicates that the median timeframe for an application of over 2,000 homes to be validated to the first detailed permission (which could be either an outline and a reserved matters application, or hybrid/full application) is 5.1 years. Whilst it is acknowledged that the new community is likely, given land ownerships, to be brought forward via multiple applications pursuant to a site wide masterplan, which could seek permission for a smaller quantum of development on an individual basis, it provides a conservative, yet realistic timeframe for a development of the comprehensive scale being proposed. Lichfields then conclude that sites of over

2,000 dwellings will take 1.6 years to move from the first planning permission to first completions. Consequently, they predict that for a site of the scale of the proposed new community, the overall lead-in time to first completions is 6.7 years.

8.9 At a local level, the most obvious comparisons are the Expansion Areas at the Cranbrook new community. An application by a national housebuilder on the Cobdens Expansion Area was submitted at the end of March 2022 (ref: 22/0406/MOUT). East Devon District Council resolved to grant approval on the Expansion Area in April 2023 (as amended by a second resolution in December 2023) and outline planning permission was approved in April 2024. Consequently, planning permission was achieved in just over two years. The Council's latest housing Monitoring Report confirms that first completions from the Expansion Area are forecast in monitoring year 2026/27, with a reserved matters application already having been submitted for over 300 homes (ref: 25/1692/MRES). This analysis suggests that it will take under five years from submission of the outline planning application to first completions at the Cobdens Expansion Area. Consequently, there exists, particularly where the first application is made by a national housebuilder, for the potential to accelerate delivery from the new community beyond that advocated by Lichfields.

8.10 However, assuming that planning applications are submitted at the new community in monitoring year 2026/27, at the earliest, it would appear that first completions would not occur until 2031/32, two years later than is envisaged by the Local Planning Authority in Appendix 3 of Document HOU001(rev). Whilst this will not necessarily inhibit the delivery of the full 3,300 homes envisaged from the new community in the period up to 2042, it will have an impact on supply within the first five years after the adoption of the Local Plan. The more realistic timeframe for first completions would 26 Lichfields, 'Start to Finish,' March 2024.

 suggest that 360 homes would be removed from the supply during the first five year period after adoption of the Local Plan (assumed to be in monitoring year 2027/28), as the envisaged delivery would slip by two years.

8.11 Whilst the implication of the likely delay in first completions is discussed in relation to the five-year housing land supply position below, it will mean that there will be a shorter period with which to deliver the 3,300 homes envisaged from the new community in the period up to 31st March 2042.

8.12 Assuming first completions occur in 2031/32, the planned requirement from the new community would need to be delivered within a 11 year period, at a rate of 300 homes per annum. If first completions occurred in 2032, then the planned requirement from the new community would need to be completed in 10 years, at a rate of 330

dwellings per annum. If the Plan is extended by a year, as suggested, then the rates of delivery would be as suggested by the Local Planning Authority (275 homes per annum).

8.13 These are rates of delivery that have been achieved in the West End for ten out of the previous 12 monitoring years, at an average annual delivery rate of 440 homes per annum27. This was, however, a rate of delivery that was achieved off multiple sites, with multiple delivery outlets.

8.14 Looking solely at Cranbrook, which is the most relevant comparison, it would appear that over the period 2012/13 to 2023/24, a total of 3,063 homes were constructed28, which provides an annual average completion rate of 255 homes. Delivery peaked in 2013/14 at just under 420 completions. The required rates of delivery from the second new community would therefore be higher than the rates of delivery achieved at Cranbrook (they would require, as a minimum, a 17.5% improvement).

8.15 To ensure that the required rates of delivery are aspirational, but deliverable and therefore effective, there will be the need for multiple outlets within the second new community. Based on the Local Planning Authority's HELAA methodology for calculating build-out rates (Appendix A of Document HOU-003), there would be a need for six outlets at the new community all constructing from 2031/32, in order for the housing requirement for the new community over the plan period to be deliverable and therefore effective and consistent with national planning policy.

8.16 At present, however, the analysis above would suggest that potentially, without looking to enhance delivery rates from those set out in Appendix 4 of Document HOU-001, that the likely delay in first completions from the new community from 2029/30 as forecast by the Local Planning Authority, to 2031/32, could mean that up to 720 forecast completions that should occur within the plan period, could fall outside of it. If the Plan is extended by a year, then this would reduce by 360 homes. FLEXIBILITY ALLOWANCE

8.17 DWH consider that the Local Planning Authority has rightfully identified the need for a flexibility allowance to be included within the emerging Local Plan, but consider that the allowance in the emerging Plan is too low. The purpose of a flexibility allowance

8.18 The use of a flexibility allowance is a well-established tool in plan-making. They have historically been used to reflect the fact that not all sites identified for housing will be developed, will only be developed in part, may achieve planning permission for an alternative use or could, as has recently been experienced in East Devon, take longer to come forward than anticipated. As outlined in para. 27 Document HOU-004(rev)c, Table 14. 28 Document HOU-001, Appendix 2.

6.5 of the 2016 Local Plan, a flexibility allowance has historically been used by East Devon District Council.

8.19 The use of such an allowance provides a suitable response to the Government objective of significantly boosting the supply of homes29 and helps to ensure that, in line with national planning policy, objectively assessed needs for housing are met30. In doing so, they help ensure that a Local Plan is positively prepared, effective and consistent with national planning policy. The most appropriate flexibility allowance

8.20 Para. 3.11 of the emerging Local Plan confirms that a flexibility allowance of 12.18% will be employed. Importantly, this flexibility allowance has been calculated on the basis of comparing the net housing need and the net housing requirement, after completions over the period 1st April 2020 and 31st March 2025 have been deducted. Whilst being a reasonable basis to calculate the flexibility allowance, DWH continue to believe that it is too low.

8.21 Research suggests that between 10 to 20% of planning permissions do not materialise31. In the case of East Devon, para. 7.2 of the latest Housing Monitoring Update highlights just two allocations made within the current Local Plan that have been the subject of delay. As indicated above, the analysis provided in Appendix 2 of Document HOU-004(rev)d would suggest that 3,100 dwellings that were anticipated to come forward at Cranbrook by 2031 will come forward in the period beyond 2031. It is however, acknowledged that a greater quantum of development has been consented at Cranbrook than was anticipated by the Development Plan. Using the analysis provided within Cranbook Plan Document PSD4 and East Devon Council's response to Matter 3 of the Cranbrook Plan, the shortfall that is forecast at Cranbrook is anticipated to be: ? requirement at Cranbrook in the period to 2031 – 7,850 homes; ? permissions at the time that Document PSD4 of the Cranbrook Plan was written – 3,500 homes; ? residual requirement – 4,350 homes.

8.22 Analysis provided within Document HOU-004(rev)d suggests that only 1,340 homes are anticipated to come forward from the expansion areas in the period up to 2031, leaving a shortfall of over 3,000 homes. The delays from the Cranbrook sites alone will mean that over 16% of the planned supply will not come forward within the plan period. This would increase further once non-delivery from Axminster is accounted for.

8.23 The non-delivery of these sites is a major reason as to why there is anticipated to be a shortfall between anticipated housing completions as identified within the housing trajectory of the 2016 Local Plan and completions by the end of the plan period. As identified in Table 19 of document HOU-004(rev)c, there is, by 2030/31, forecast to be a shortfall of some 2,641 homes (there is forecast to be 15,668 completions over the period 2013/14 to 2030/31, compared to 18,241 homes specified within Strategy 2 of the 2016 Local Plan). The shortfall equates to 14.5% of supply overall, or if completions

were discounted from the calculation for the period prior to the adoption of the Local Plan, 15.6%.

8.24 Consequently, as currently drafted, the flexibility allowance provided is insufficient and as such, the identified supply cannot be considered to be either justified or effective. 29 Para. 60 of the NPPF. 30 Para. 11(b) of the NPPF. 31 Page 22, “Taking Stock”, Lichfields, 2021

SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 47 Changes required to address soundness issues

8.25 To ensure that the plan is both justified and effective, a 15% non-implementation allowance should be applied. On the basis of the Council’s housing requirement (20,909 dwellings) and having regard to completions to date32, there would be a need to identify a supply of 19,211 dwellings over the period 1st April 2025 to 31st March 2042, or across the plan period (i.e. including completions up to 31st March 2024) 24,045 homes.

8.26 However, as stated in Section 6 above, DWH considers that there is a need to increase the emerging Plan’s housing requirement. They have suggested that the requirement over the period 2020 to 2042 should be either increased by approximately 2,100 homes to account for the shortfall against the 2016 Local Plan’s housing requirement, or 4,523 homes to meet local housing needs in full, depending on the approach adopted. This would necessitate the need to identify a supply of homes of between 26,460 dwellings (based on the shortfall approach) and 29,247 homes (based on meeting local housing need), over the period 2020 to 2042. HOUSING LAND SUPPLY IN THE FIRST FIVE YEARS AFTER ADOPTION

8.27 Para. 69 of the 2023 version of the NPPF confirms that planning policies should ensure that a supply of specific, deliverable sites for years one to five of the plan is identified. The Local Development Scheme confirms that the emerging Local Plan is envisaged to be adopted in late 2026 and therefore within monitoring year 2026/27. However, for the reasons set out above, DWH considers that this is more likely in monitoring year 2027/28.

8.28 Assuming that adoption occurs in monitoring year 2027/28, then, as indicated in Appendix 4 of Document HOU-001(rev), the Local Planning Authority’s housing calculation indicates that with no buffer, a 6.64 year supply could be identified on adoption of the Plan. Prima facie, it would therefore appear that a land supply that satisfies the requirement of para. 69 of the NPPF can be demonstrated. However, the calculation is undertaken on the basis of: ? the Local Planning Authority’s housing

requirement of 950 dwellings per annum; and ? the adoption of the stepped trajectory housing requirement in the first 12 years of the Plan (850 dwellings per annum).

8.29 For the reasons set out in Section 6 of this representation, DWH considers that there is a need to either: ? increase the housing requirement to the local housing need figure; or ? increase the housing requirement to include the shortfall in delivery from the 2016 Local Plan in the period up to and including monitoring year 2019/20, which is approximately 2,100 dwellings.

8.30 On the basis of adopting the lower of these two options (the emerging Local Plan requirement, plus the backlog in the 2016 Local Plan), there would be a need, over the period 2020 to 2042, for the housing requirement to be set at 23,009 homes (1,046 dwellings per annum).

8.31 DWH revised housing land supply calculation also includes the following methodological inputs: ? having demonstrated in Section 7 that the use of a stepped housing trajectory would not accord with national planning policy, it has not been included in the calculation; 32 Taken from para. 2.1 of Document HOU-001.

 ? shortfall within the emerging Local Plan period is apportioned on the basis of the Sedgefield approach, in accordance with Government guidance33; and ? more realistic delivery rates are proposed for the Marlcombe new community. DWH consider it more realistic that first completions from the second new community will occur in 2031/32 (i.e. two monitoring years later than the Local Planning Authority). The revised delivery rates for the new community are set out in the table below. TABLE 4: REVISED DELIVERY RATES FOR THE SECOND NEW COMMUNITY MONITORING YEAR COUNCIL'S DELIVERY ASSUMPTIONS DWH DELIVERY ASSUMPTIONS DIFFERENCE 2027/28 0 0 0 2028/29 0 0 0 2029/30 144 0 144 2030/31 144 0 144 2031/32 216 144 72 2032/33 216 144 72 2033/34 216 216 0 2034/35 216 216 0 2035/36 288 216 72 TOTAL 1,440 936 504

8.32 For consistency, the completions data as set out in Document HOU-001(rev) is used, although it is noted that the data used does not take into account the adjustments made by MHCLG for care home beds, as set out in Document HOU-004(rev)c. 33 MHCLG, Planning Practice Guidance, Housing Supply and Delivery Paragraph: 022 Reference ID: 68-031-20190722.

 TABLE 5: REVISED ROLLING HOUSING LAND SUPPLY 27/28 28/29 29/30 30/31 31/32 32/33 33/34 34/35 35/36 Projected permission completions 581 573 635 767 425 425 370 370 370 Allocated sites 0 0 491 575 663 789 694 659 695 Windfall sites 111 116 116 116 116 116

116 116 116 Total projected dwelling completions 692 689 1242 1458 1204 1330 1180 1145 1181 Housing target 1,046 1,046 1,046 1,046 1,046 1,046 1,046 1,046 1,046 Total shortfall / surplus to date from 2020 1,158 1,512 1,869 1,673 1,261 Housing target plus shortfall 6,388 6,742 7,099 6,903 6,491 Annualised requirement 1,278 1,348 1,420 1,381 1,298 Adoption Year 2 Year 3 Year 4 Year 5 Rolling supply by year

4.13 4.39 4.52 4.57 4.65

8.33 The above analysis demonstrates that a five year supply of deliverable housing sites would not be identifiable on adoption of the Plan, or for each of the following four years.

8.34 Consequently, as currently drafted, the emerging Local Plan would fail to meet the requirements of para. 69 of the 2023 version of the NPPF. It is therefore not consistent with national planning policy and is therefore unsound.

8.35 It should be noted that the above calculation was made on the basis that no buffer is applied. Should it be found that a buffer was required, then the calculations would deteriorate further. CHANGES REQUIRED TO ADDRESS SOUNDNESS ISSUES

8.36 In order to increase the supply of housing land in the Plan's first five years after adoption, there is a need to identify more deliverable housing sites. DWH continues to draw attention to land to the west of Lilypond Lane, Whimple, which for the reasons set out in this representation, is capable of accommodating residential development in a sustainable manner and in broad conformity with the Plan's spatial strategy.

SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 50 MINISTERIAL LETTER TO THE PLANNING INSPECTORATE

8.37 As outlined above, a letter was issued to the Planning Inspectorate by the Minister of State for Housing and Planning on 9th October 2025, reiterating the need for Inspectors to exercise a degree of flexibility within the examination process. Specific reference was made to instances where a fiveyear housing land supply could not be demonstrated at the point of adoption. However, that was in the case where the plan would significantly boost the supply of homes and would meet needs over the plan period, or would provide additional opportunities to clarify compliance with the Duty to Cooperate. As confirmed in previous sections, none of these circumstances apply in the case of the emerging Local Plan. THE ROLE OF SMALL AND MEDIUM SIZED SITES

8.38 As set out above, in DWH view, there is a need for further allocations to be identified in the Plan that are capable of being delivered in the period up to 2031/32. In that regard, they consider that there is a clear role for non-strategic sites to ensure a continuity in housing supply.

8.39 Indeed, where non-strategic sites are relatively environmentally unconstrained, are in a sustainable and an accessible location and their development generally accords with the spatial strategy, they can represent a valuable source of housing land.

8.40 Such sites generally have additional merits. As well as ensuring a continuous supply of housing land over the plan period, they will often be more straightforward to implement and they can contribute to the mix and range of housing opportunities, consistent with Government policy. They will therefore add flexibility to the Council's housing land supply.

8.41 In this context, DWH continues to draw the Local Planning Authority's attention to land to the west of Lilypond Lane, Whimple. The site, which is sustainably located, is in the control of a national housebuilder, who have a proven track record of delivery. The trajectory provided at Table 2 demonstrates that the majority of the development would be completed in the first five years of the Local Plan.

8.42 DWH do not agree with the Local Planning Authority's assertion at para. 5.8 of Document HOU-001 that opportunities from small sites were maximised. Certainly, in the case of land to the west of Lilypond Lane, Whimple, which is not proposed for allocation, it is a suitable site that both aligns with the development strategy and is free from significant constraint. Despite the Local Planning Authority being provided with evidence to the contrary on four separate occasions, they did not review the flawed and now outdated conclusions made in the 2022 HELAA. Delivery trajectory for land at Lilypond Lane, Whimple

8.43 A delivery trajectory for land at Lilypond Lane, Whimple, has been provided at Table 2. It has been formed having regard to the research prepared by Lichfields34 and the Local Planning Authority35 .

8.44 It, therefore, on a worst case scenario: ? adopts the median planning approval period for sites between 100 and 499 homes as stated within Lichfields work; ? adopts delivery rates of 25 dwellings in year one and 50 homes in year two onwards; and ? assumes only one developer delivering housing on the site. 34 Lichfields, 'Start to Finish,' March 2024. 35 Appendix 2 of Appendix A of Document HOU-003.

8.45 This, however, is considered to be highly conservative as: ? the maximum quantum of development proposed by DWH would be 115 homes, which is at the lower end of the 100-499 home category set out in Table 3.1 of Lichfields' work. The quantum of development proposed is more akin to the lowest site size within Lichfields' work, which suggests that the median planning approval process for a site between 50-99 homes would be

1.5 years (as opposed to 2.8 years for the larger category); ? as shown in Figure 3.2 of Litchfields work, the timeframe until first completions for a site sized between 100 and 499 homes (2.8 years) assumes the submission of an outline application and then a subsequent reserved matters application. As DWH are both a land promoter and a national housebuilder, they intend to submit a full planning application on the site, which could accelerate the planning process; and ? the site would likely be delivered by two of the developers within the Barratt Redrow Group, including DWH, and therefore there would be two delivery outlets, which according to the Local Planning Authority's delivery assumptions set out within the HELAA, could each be capable of delivering 25 homes per annum in year one, and 50 homes per annum in year two.

8.46 There therefore exists the opportunity to enhance delivery rates beyond the timeframe established in Table 2. RESERVE SITES

8.47 As demonstrated above, in the recent past, allocated sites have not come forward as quickly as envisaged. So as to not rely on speculative applications to remedy any shortfall, the Local Planning Authority should consider allocating reserved housing sites, that could be brought forward when components of housing supply stall.

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

8.38 As set out above, in DWH view, there is a need for further allocations to be identified in the Plan that are capable of being delivered in the period up to 2031/32. In that regard, they consider that there is a clear role for non-strategic sites to ensure a continuity in housing supply.

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trajectory provided at Table 2 demonstrates that the majority of the development would be completed in the first five years of the Local Plan.

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8.43 A delivery trajectory for land at Lilypond Lane, Whimple, has been provided at Table 2. It has been formed having regard to the research prepared by Lichfields34 and the Local Planning Authority35 .

8.44 It, therefore, on a worst case scenario: ? adopts the median planning approval period for sites between 100 and 499 homes as stated within Lichfields work; ? adopts delivery rates of 25 dwellings in year one and 50 homes in year two onwards; and ? assumes only one developer delivering housing on the site. 34 Lichfields, 'Start to Finish,' March 2024. 35 Appendix 2 of Appendix A of Document HOU-003.

8.45 This, however, is considered to be highly conservative as: ? the maximum quantum of development proposed by DWH would be 115 homes, which is at the lower end of the 100-499 home category set out in Table 3.1 of Lichfields' work. The quantum of development proposed is more akin to the lowest site size within Lichfields' work, which suggests that the median planning approval process for a site between 50-99 homes would be

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Full name: Neil Mantell

Organisation (where relevant): LRM Planning

Other party name (if relevant): David Wilson Homes

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The stepped trajectory proposed in Policy SP02 – Object INTRODUCTION 7.1 Strategic Policy SP02 confirms that whilst housing provision will be made for at least 20,909 net new dwellings over the period 1st April 2020 to 31st March 2042, that the requirement will be delivered through a stepped trajectory, as follows: ? 2020/21 to 2031/32 – 850 homes per annum; and ? 2032/33 to 2041/42 – 1,070 homes per annum. 7.2 DWH object to this stepped trajectory as it does not accord with national planning guidance set out in the PPG. Specifically, the Local Planning Authority have failed to demonstrate adequately that there is a significant change in the housing requirement between the existing and the emerging Plan. Moreover, analysis undertaken by DWH demonstrates that the proposed allocations, particularly the new community, are to deliver relatively quickly after adoption of the emerging Local Plan. The lack of supply in the early years of the Plan relates more to the delays with existing committed sites than proposed allocations. 7.3 Moreover, there are other reasons that a stepped trajectory should not be employed in the emerging Local Plan, including: ? it resulting in a requirement for the first 12 years of the Plan that is below historic delivery rates; ? it retrospectively applying a lower housing requirement than the existing Development Plan for the period prior to the adoption of the emerging Local Plan; ? the stepped trajectory for the first 12 years of the Plan resulting in a housing requirement that would only provide 74% of the annualised objectively assessed need for housing; ? it would not accord with the Government objective to significantly boost the supply of housing; ? it would likely delay the supply of new affordable housing to later in the plan period; ? it resulting in a level of workers that could constrain economic growth and activity in the first 12 years of the Plan; and ? the level of the ‘step’ in the trajectory not having been subject of consideration in the Sustainability Appraisal. 7.4 Given the above, DWH consider that the use of the stepped

trajectory does not accord with national planning policy, nor can it be considered to be a justified strategy. 7.5 Each of DWH's concerns are set out below in turn. NATIONAL PLANNING POLICY AND GUIDANCE RELATING TO STEPPED TRAJECTORIES 7.6 The PPG25 indicates that there are certain circumstances where the use of a stepped trajectory is appropriate. This includes: 25 MHCLG, Planning Practice Guidance, Housing Supply and Delivery, Paragraph: 012 Reference ID: 68-021-20190722. SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 39 ? where there is to be a significant change in the level of housing requirement between the emerging and previous policies; and/or ? where strategic sites will have a phased delivery or are likely to be delivered later in the plan period. 7.7 Moreover, in circumstances where a stepped trajectory is proposed, decision makers will need to set out evidence to support the approach and not seek to unnecessarily delay meeting identified development needs. LOCAL PLANNING AUTHORITY JUSTIFICATION FOR THE STEPPED TRAJECTORY 7.8 The justification for the use of the stepped trajectory is provided at para. 3.12 of the emerging Plan, where it is stated that it is proposed due to the inherent complexities with delivering major development, particularly the proposed new community. 7.9 Further justification is provided within Document HOU-002(rev), wherein it is stated that: "Many allocated sites in the East Devon Regulation 19 local plan present significant challenges for developers. These sites are unlikely to attract speculative planning applications before the local plan has made significant progress towards adoption due to high costs and planning complexities and uncertainties that permission will be granted." 7.10 Having regard to the tests established in the PPG for the use of a stepped trajectory, for the reasons set out below, DWH dispute this justification. The current and emerging Development Plan housing requirement 7.11 Strategy 1 of the East Devon Local Plan 2013-2031 confirms that a minimum of 17,100 homes will be provided over the period 2013 to 2031. This equates to an annual average requirement of 950 homes per annum. In comparison, as an annual average, the emerging Local Plan proposes a housing requirement that equates to an annualised requirement of 950 homes per annum. Consequently, no change between the housing requirement is proposed between the existing and emerging Local Plan, let alone, as is required by national planning guidance, a significant change. The phased delivery of strategic sites 7.12 As set out above, the Local Planning Authority suggest that the reason for the need for a stepped trajectory stems from the lead-in times associated with the allocations proposed within the emerging Local Plan. However, having regard to the evidence presented within Document HOU004(rev)d, this is disputed by DWH. 7.13 For instance, taking Cranbrook as an example, Strategy 2 of the existing Local Plan envisaged that a total of 7,769 homes would be completed at the settlement by the end of the plan period (2031). This is re-confirmed at para. 7.26 of the Plan, which states that the settlement "by 2031 will accommodate around 8,000 new homes." 7.14 To give effect to this position, Strategy 12 allocated land to provide around 6,300 homes, with a further 1,550 homes to be provided in a subsequent Development Plan Document (the

Cranbrook Plan). The Cranbrook Plan, which identified four expansion areas, was adopted in October 2022. These homes were expected to be completed by 2031. 7.15 Instead, Document HOU-004(rev)d identifies that a total of 3,100 homes are anticipated to be delivered at Cranbrook in the period 2031/32 to 2040/41. 7.16 If this provision was added to the forecast completion data for the period up to 31st March 2031 as identified in Table 14 of document HOU-004(rev)c, as was intended, then the supply over the period 2025/26 to 2030/31 would have been in excess of 8,000 homes, or over 1,300 homes per annum. SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 40 7.17 In terms of the new community, Document HOU-001(rev) confirms that the Local Planning Authority consider that first completions from Marlcombe will occur in 2029/30, which is only two years after DWH envisaged adoption of the emerging Local Plan. Whilst it could be argued that delivery from the Marlcombe site will not occur until the tenth year of the Plan, this is more of a result of the Plan's start date being 2020 and some time ago, than the phasing of the proposed strategic sites. 7.18 Consequently, rather than being a matter relating to proposed allocations within the emerging Local Plan, including the new community, as is suggested in Document HOU-002(rev), the issue relates more to existing commitments not materialising at the point envisaged. 7.19 DWH consider, therefore, that the Council's justification provided within document HOU-002(rev) to not be robust. 7.20 As will be demonstrated in Section 8, there is a clear necessity for smaller sites that can come forward relatively quickly, to added much needed continuity in supply. Land at Lilypond Lane, Whimple, represents such an opportunity. SYNTHESIS 7.21 As demonstrated above, the justification required by national planning guidance to allow a stepped trajectory has not been adequately provided by the Local Planning Authority; there is not any uplift in the proposed housing requirement between the existing and the emerging Development Plan and the supply issues within the first 12 years of the Plan relates more to committed sites stalling, than the ability to accelerate delivery from strategic sites in the emerging Local Plan. 7.22 Consequently, the application of the proposed stepped trajectory in the emerging Local Plan cannot be considered to be a justified proposition, nor consistent with national planning policy. OTHER REASONS TO RESIST A STEPPED TRAJECTORY Historic delivery rates 7.23 Table 14 of Document HOU-004(rev)c confirms that since 2013/14 the proposed housing requirement for the first 12 years of the emerging Local Plan has been exceeded in eight out of twelve monitoring years. Over the same period, completions have averaged at 891 homes per annum. Consequently, the housing requirement in the first 12 years of the Plan would be significantly less than historic delivery rates. 7.24 It is also instructive to note that in the period 2013/14 to 2015/16 (i.e. in general terms, prior to the adoption of the current Local Plan), delivery rates that were significantly higher than are proposed in the first 12 years of the emerging Local Plan were achieved (an average of 962 homes per annum), with rates for two of the three years nearly meeting the rates proposed for the period 2032/33 to 2041/42 in the emerging Local Plan. Retrospectively applying a lower

housing requirement than the existing Development Plan for the period prior to the adoption of the emerging Local Plan 7.25 As set out above, the existing Development Plan envisaged an annual average completion rate of 950 homes per annum for the period up to 2031. Planning decisions, including those made in the period since 2020/21 (the start of the emerging plan period) have been made by the Local Planning Authority in this context and will continue to do so until the adoption of the emerging Local Plan. 7.26 However, the emerging Local Plan seemingly attempts to retrospectively reduce the average housing requirement for the period 2020 up to the adoption of the emerging Local Plan (likely to be monitoring year 2027/28) from 950 dwellings per annum, to 850 dwellings per annum. If the Plan is SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 41 adopted in monitoring year 2027/28, the lower housing requirement would be retrospectively applicable to the Plan's first eight monitoring years. 7.27 This cannot, as a principal, be a justified approach. The housing requirement for the first 12 years of the Plan in comparison to the standard method output 7.28 For the first 12 years of the Plan, it is proposed that the housing requirement will be set at a level that is 100 homes per annum lower than the proposed annualised housing requirement (950 homes). As set out above, the annualised housing requirement itself has been set at a level that seeks to meet only 82.2% of the established housing need. 7.29 Consequently, over the period 2020 to 2032, the requirement is proposed to be just 74% of the objectively assessed need for housing. Over the period 2020 to 2032, the requirement would be just 10,200 homes, against a local housing need of 13,872 homes. It would mean that over the first 12 years of the Plan, the requirement would be 3,672 fewer homes than the objectively assessed need would suggest is required. Not according with the Government requirement to significantly boost the supply of housing 7.30 Rather than proposing a level of housing that would significantly boost the supply of homes, which is a Government objective (para. 60 of the NPPF), the housing requirement for the first 12 years of the emerging Plan would, in comparison to the existing Local Plan, result in a housing requirement that is 100 homes per annum lower. This would conflict with national planning policy. Impacts on affordable housing provision 7.31 A reduced housing requirement in the first 12 years of the Plan will likely reduce the supply of affordable homes, delaying the opportunity for residents to access such homes until much later in the plan period. This will have unintended social consequences. The impact on economic growth 7.32 As outlined in Section 6 above, the proposed annualised average housing requirement in the emerging Local Plan would provide an inadequate quantum of workers to meet the clean growth scenario adopted in the emerging Local Plan. It follows that the adoption of an even lower housing requirement in the first 12 years of the Plan would result in a more acute shortfall, potentially constraining economic growth in the Local Planning Authority area until post 2031/32, and/or resulting in workers travelling greater distances into East Devon to access employment. This is likely to increase congestion and greenhouse gas emissions. These scenarios would conflict with Objectives 2, 4 and

9 of the emerging Plan and elements of the Plan's Vision. Sustainability Appraisal 7.33 DWH note that the Sustainability Appraisal (Document CSD-003 (rev)) in relation to emerging Strategic Policy SP02, contains an assessment of what the Local Planning Authority considers to be reasonable alternatives for the total housing provision across the plan period. No assessment is provided of the application of the stepped trajectory within the Policy, or the level of the step. 7.34 In that regard, DWH draw attention to the letter issued by the Inspectors of the emerging Wiltshire Local Plan dated 22nd December 2025, which, in regard of the use of a stepped trajectory within that Plan, states: "Turning to the proposal to include a stepped housing requirement in the Plan as submitted, we consider that it is neither positively prepared nor justified. Whilst we note that the HRA indicates that a stepped trajectory should be considered, no clear evidence has been provided to justify at what level the step might be set at or its duration. Furthermore, the level of the step does not SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 42 appear to have been subject to SA. Evidence was also provided during the hearings that the step was lower than current rates of housing delivery in the County. We are therefore concerned that it is not justified and would serve to unnecessarily delay meeting identified housing needs. In reaching this view, we note that there has not been a significant change in the level of the proposed housing requirement in the Plan when annualised and compared with the Wiltshire Core Strategy (document DP/01). Moreover, the housing trajectory provided in the submitted Plan does not seemingly correspond with a reliance upon strategic sites that would have phased delivery…" (our emphasis). Ministerial letter to the Planning Inspectorate 7.35 As outlined above, a letter was issued to the Planning Inspectorate by the Minister of State for Housing and Planning on 9th October 2025. Within it the Minister referred to it being "critical that Inspectors approach examinations of current system plans with the appropriate degree of flexibility." Specific reference was provided to Inspectors exercising a degree of flexibility to expedite the adoption of local plans, including "in instances where a five-year housing land supply cannot be evidenced at the point of adoption." 7.36 However, this was in cases where the plan significantly boosts the supply of homes and would meet identified needs over the plan period, or by providing additional opportunities to clarify compliance with the Duty to Cooperate. None of these examples apply in the case of the emerging Local Plan; it does not provide a housing requirement that is significantly higher than is contained within the 2016 Local Plan, does not meet identified local needs and does not provide any provision for unmet needs in neighbouring authorities.7.37 As such, the pragmatism suggested by the Minister in his letter should not be afforded to the emerging Local Plan.

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

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

7.38 For the reasons set out above, DWH considers that the use of the proposed stepped trajectory within Policy SP02 lacks the justification required by national planning policy. The proposed step for the first 12 years of the Plan will be lower than current rates of housing delivery and would therefore delay meeting housing needs and any supply side issues relate more to existing commitments than allocations proposed in the emerging Plan.

7.39 The application of the stepped trajectory therefore is not justified and conflicts with national planning policy.

7.40 Moreover, DWH have identified a number of other reasons to resist the use of a stepped trajectory, which include resulting in a level of workers that would not be sufficient to support the Plan's economic growth ambitions in its first 12 years. It is therefore likely to result in constrained economic growth until post 2031/32, and/or attract workers from other neighbouring authorities, which would likely lead to longer travel-to-work journey times, greater congestion and more greenhouse gas emissions. This would conflict with Objectives of the Plan, as well as elements of its Vision.

7.41 Their remains a clear and obvious role for smaller sites, that are often quicker to build-out (see para. 70 of the NPPF), to provide continuity in supply, before the larger strategic sites start to deliver. This is particularly the case where sites are being promoted by a housebuilder who has the ability to, in order to accelerate delivery, prepare full planning applications on sites. This is the case with land at Lilypond Lane, Whimple.

7.42 Matters relating to housing supply are discussed in Section 8.

Full name: Neil Mantell

Organisation (where relevant): LRM Planning

Other party name (if relevant): David Wilson Homes

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Policy SP02 – the objectively assessed need for housing and the proposed housing requirement – Object INTRODUCTION 6.1 The following section of this representation sets out DWH response to the emerging Local Plan's housing requirement. It also establishes East Devon District Council's current local housing need. 6.2 Summarily, DWH have a number of concerns relating to Policy SP02, as follows: ? rather than seeking to address housing needs in full, which is an objective of the Plan, the housing requirement seeks to meet just 82.2% of the local housing need figure (950 homes per annum, in comparison to 1,156 homes per annum). This results, over the plan period, of a requirement that is 4,523 homes fewer than is required to meet needs. The shortfall is even more pronounced in the Plan's first 12 years, where the lowest element of the stepped trajectory is proposed; ? rather than attempting to justify the lower requirement to the local housing need figure via the operation of para. 11(b) of the NPPF, the Local Planning Authority seeks to exploit the transitional arrangements set out in the December 2024 version of the NPPF; ? however, rather than, as was intended by the transitional arrangements, it being used due to the Plan being at an advanced stage of preparation, decisions regarding the housing requirement and components of supply were made after the publication of the consultation version of the NPPF and the revised standard method in Summer 2024; ? through the exploitation of the transitional arrangements and consciously deciding not to meet needs in full, the Plan cannot be considered to be positively prepared, or consistent with national planning policy; ? there are other reasons that the housing requirement should be increased to the local housing need figure, including: – it would be consistent with the Government objective to boost the supply of housing; – the Planning Practice Guidance (PPG) confirms that the local housing need figure would start to address housing affordability; – the proposed

housing requirement would result in an insufficient quantum of workers to support the clean growth economic projection adopted in the Plan; – the overall requirement (20,909 homes) would not provide a housing requirement for a full 15 years from the adoption of the Plan; – the theoretical supply of homes is large enough to accommodate a higher requirement; – the market has previously absorbed higher levels of housing; and – DWH analysis suggests that a requirement that aligns with the local housing need figure should have been the preferred option as assessed within the Sustainability Appraisal. 6.3 Should the Local Planning Authority continue to plan on the basis of a lower housing requirement, then there will be a need to incorporate the shortfall from the 2016 Local Plan over the period 2013/14 to 2019/20 (approximately 2,100 dwellings), as this shortfall will not have been taken into account. SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 26 ESTABLISHING THE LOCAL HOUSING NEED – THE APPLICATION OF THE STANDARD METHOD 6.4 As indicated above, the 2023 version of the NPPF requires that in order to support the Government's objective to significantly boost the supply of homes, it is important that a sufficient amount and variety of land comes forward where it is required. The NPPF confirms that the overall aim should be to provide as much of an area's housing need as possible (para. 60). In order to determine the minimum number of homes required, strategic policies should be informed by a local housing needs assessment, conducted using the standard method (para. 61). 6.5 Moreover, strategic policy-making authorities should establish a housing requirement figure for the whole area, which shows the extent to which their identified housing need can be met over the plan period. The extent to which the local housing need can be met will be determined by the application of para. 11(b) (para. 67). 6.6 The following section provides an assessment of the two potential options for calculating the local housing need figure within the emerging Local Plan. These are: (1) using the standard method that was established in the Planning Practice Guidance (PPG) when the December 2023 version of the NPPF was in effect; or (2) the current standard method. Both options are considered below. Previous standard method approach 6.7 It has been established in Section 3 that having published a Regulation 19 version of the Local Plan on or before 12th March 2025 and planning for a draft housing requirement that meets at least 80% of local housing need, the Local Planning Authority contend that the emerging Local Plan benefits from the transitional arrangements outlined in para. 234 of the December 2024 version of the NPPF. Consequently, the Plan will be examined against the December 2023 version of the NPPF. 6.8 As set out above, the standard method in operation alongside the December 2023 version of the NPPF used the 2014-based household projections, with an affordability uplift. 6.9 However, having regard to para. 3.11 of the consultation Plan, it appears that the Local Planning Authority have disregarded this methodological approach and have based their assessment of local housing need on the updated standard method. This is a position supported by DWH, for in the words of the previous Deputy Prime Minister, it "relied on decade old data11." Current version of the standard

method 6.10 As stated above, along with a revised version of the NPPF, a revised version of the standard method for calculating local housing need was published in December 2024. The inputs include existing housing stock, which is then adjusted upwards to reflect local affordability pressures. The Planning Practice Guidance (PPG) confirms that the revised approach provides "a stable and predictable baseline that ensures that all areas, as a minimum, are contributing a share of the national total that is proportionate to the size of their current housing market12." 6.11 The use of a housing stock based approach instead of the household projections led methodology was endorsed by Officers of East Devon District Council, who in their response to the NPPF consultation confirmed that: "The use of the household projections data tends to focus a disproportionate number of new homes in locations that have previously seen significant growth leading to a position where past growth leads to future growth. This puts pressure on places that have been successful in delivering 11 https://www.gov.uk/government/news/housing-targets-increased-to-get-britain-building-again, published on 30th July 2024. v 12 MHCLG, Planning Practice Guidance, Housing and Economic Needs Assessment, Paragraph: 005 Reference ID: 2a-005-20241212. SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 27 growth in the past to deliver more and more even where this is not sustainable. Using a baseline of existing housing stock at 0.8% nationally reduces the impact of this and so is favoured over the household projections data" (our emphasis.) 6.12 As rightly confirmed at para. 3.11 of the consultation document, the objectively assessed need for housing within East Devon at the time that the first Regulation 19 version of the Local Plan was published was 1,188 dwellings per annum. However, since the publication of the first Regulation 19 consultation, revised housing stock and affordability ratios have been published. 6.13 The PPG sets out that strategic policy-making authorities will need to calculate their local housing need figure at the start of the plan-making process, but that it should be kept under review and revised where appropriate, as the housing need figure generated using the standard method may change as its inputs are variable13 . 6.14 The application of more recent inputs within the standard method suggests that the local housing need is now 1,156 dwellings per annum. Extrapolated over a 22 year plan period, the objectively assessed need would be 25,432 dwellings (net) over the period 2020 to 2042. 6.15 In DWH's view, it is this local housing need figure that should be adopted in the emerging Local Plan. Unless the application of para. 11(b) of the NPPF suggests otherwise, as a minimum, it should form the housing requirement in the emerging Local Plan. THE LOCAL HOUSING NEED FIGURE AND THE HOUSING REQUIREMENT IN THE EMERGING LOCAL PLAN 6.16 Whilst acknowledging at para. 3.11 of the emerging Local Plan that as at February 2025, the local housing need figure for East Devon was 1,188 homes per annum (26,136 homes over the plan period), Strategic Policy SP02 identifies that a minimum of 20,909 net new homes will be provided between 1 st April 2020 and 31st March 2042. This housing requirement has not altered between the first and second Regulation 19 consultations. 6.17 Importantly,

the Local Planning Authority do not attempt to justify the difference between the local housing need figure and the housing requirement through the operation of the provisions established in para. 11(b) of the NPPF. Instead, it appears that the Local Planning Authority are attempting to exploit the transitional arrangements established in the December 2024 version of the NPPF to establish a housing requirement that seeks to meet just 80% of the standard method output, as calculated at February 2025 (i.e. it seeks to plan for 80% of the local housing need figure at that point, which is 950 homes per annum). 6.18 This is further evidenced when reviewing, amongst other things, the committee reports for the Strategic Planning Committee meetings held in August 2024 and February 2025. 6.19 Indeed, in the Committee Paper to the Strategic Planning Committee in August 202414, which considered the consultation to the changes to the NPPF and the standard method, Officers presented two options for the local housing need figure for Members to consider, as follows: 1) to plan for at least 946 homes per annum, plus headroom, so that the Plan could be examined against the previous version of the NPPF; or 2) pursue a new Local Plan in accordance with the December 2024 version of the NPPF, which would have required 1,146 homes per annum at that time. 13 MHCLG, Planning Practice Guidance, Housing and Economic Needs Assessment, Paragraph: 008 Reference ID: 2a-008-20241212. 14 https://democracy.eastdevon.gov.uk/documents/s24508/New%20NPPF%202024%20Report.pdf. SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 28 6.20 In considering both options, Officers indicated that: "...946 homes per annum is the same figure that the draft plan consulted on at Reg 18 stage at the end of 2022 was based on. As a result, we know that this is achievable whereas the 1,146 homes plus 5% buffer required by option 2 is a scale of growth that we have not previously considered." 6.21 Having regard to the suspected length of time that it would take Government to process the consultation responses to the 2024 consultation on the proposed amendments to national planning policy and guidance, including the standard method, Officers indicated that "there may therefore be an opportunity to take advantage of the transitional arrangements set out in the consultation" (our emphasis). 6.22 With regard to the emerging standard method derived target of 1,146 homes per annum, Officers advised Members, without any evidential basis, that such a local housing need figure would be "...extremely challenging, if not impossible." 6.23 Officers concluded that: "... it makes sense to progress the local plan under option 1 as set out above and try and take advantage of the proposed transitional arrangements and benefit from the reduced requirements that would apply particularly in relation to the housing requirement figure. Even if the Council were to fail to achieve this timetable, then we would simply have to pursue a plan under option 2 instead and so it is considered that there is nothing to be lost by trying to progress under the transitional arrangements" (our emphasis). 6.24 The local housing need was reconsidered in February 2025, after the publication of the December 2024 version of the NPPF and the updated standard methodology. Within the Committee Papers15 , Officers stated that:

“The new NPPF as published gives us a slightly higher housing need figure of (1,188 homes per year). They have also changed the threshold for compliance with the transitional arrangements to 80% of the standard method figure which is 950 homes per year. On the face of it this means we would fall outside of the transitional arrangements by 4 homes per year or 96 homes across the plan period. However, since we built in a 10% buffer we believe that we can simply make up the shortfall from the buffer and present the plan as having met the 950 homes per year requirement figure but with a slightly reduced buffer.” 6.25 Reference was again made to taking “advantage of these transitional arrangements.” 6.26 As can be seen above, the approach taken in forming the local housing need figure within the emerging Local Plan was simply to calculate 80% of the local housing need figure prior to the publication of the first Regulation 19 consultation. Far from meeting objectively assessed needs in full, as is required by national planning policy, the Local Planning Authority have exploited, or as they put it, taken advantage of the transitional arrangements to adopt a housing requirement that at the time of writing would meet only 82.2% of needs. To put it another way, it would mean that the housing needs of one in every five households in East Devon over the plan period would not be met. This is a conscious decision by the Local Planning Authority. 6.27 The Local Housing Needs Assessment (HOU-002 (rev)) does not provide any further support for the approach taken forward. Rather than the Assessment calculating the local housing need figure, as outlined in para. 6.1, it adopts the local housing need figure stated in Policy SP02 from the outset (20,909 homes). Consequently, it concludes that once the number of homes required to meet projected growth (12,878 homes) and an allowance to address pent up demand in the under 45 15 https://democracy.eastdevon.gov.uk/documents/s26146/1.%20NPPF%20Changes%20Report%20Jan%202025.pdf. SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 29 cohort (897 homes) are discounted from the emerging local housing need figure (20,909 homes), then the residual element of the local housing need figure is assumed to relate to inward migration (7,134 homes), but does not appear to be based on any specific projection (see footnote 30). 6.28 By simply applying a crude calculation to meet only 80% of the local housing need figure, and not addressing needs in full, Policy SP02 cannot be considered to be either positively prepared, or consistent with national planning policy (paras. 11 and 61 of the NPPF). 6.29 Moreover, it would also not give effect to Objective 3 of the emerging Plan, which seeks to “provide high quality new homes to meet people’s needs” and the parts of the Plan’s Vision which seeks to “meet future needs.” The purpose of the transitional arrangements 6.30 As set out on page 4 of the 4th August 2024 Strategic Planning Committee Report on the implications of the proposed reforms to the NPPF, the transitional arrangements proposed in the consultation version of the NPPF were intended to “…help to maintain the progress of plans at more advanced stages of production.” 6.31 This was not the case in East Devon, where, as indicated above, decisions regarding the housing requirement figure to be included within the first Regulation 19 Plan were all made after

the NPPF consultation was published. Moreover, the proposed allocations were also selected by committee in the period after the NPPF consultation. OTHER REASONS AS TO WHY THERE IS A NEED FOR A HIGHER HOUSING REQUIREMENT 6.32 As set out above, the objectively assessed need for housing within East Devon is presently 1,156 dwellings per annum. Despite this level of local housing need, the Local Planning Authority is proposing to utilise the provisions established within para. 234 of the 2024 version of the NPPF to plan to meet only 82.2% of this identified need. Notwithstanding DWH significant concerns with this approach, the implications of establishing a housing requirement that is lower than the established objectively assessed need for housing is set out below. Not addressing needs 6.33 As set out above, the Local Planning Authority has, over the 22 year plan period, deliberately and consciously chosen to establish a housing requirement that seeks to address only 82.2% of local housing need. Consequently, the housing requirement will result in 4,523 homes fewer than the standard method considers is necessary. This equates to a failure to provide just under one in every five homes identified as being needed. 6.34 The proposed housing provision will not give effect to either Objective 3 of the Plan, or its Vision, in relation to meeting needs. Shortfall in housing delivery against the adopted Local Plan requirement 6.35 As stated in the PPG, the affordability adjustment is, amongst other things, applied in the standard method to take account of past under-delivery16 . However, as set out above, the emerging Local Plan is seeking to meet only 82.2% of local housing need. Consequently, by not meeting the affordability uplift in full, it cannot be argued that past under-delivery has been taken into account. 16 MHCLG, Planning Practice Guidance, Housing and Economic Needs Assessment, Paragraph: 011 Reference ID: 2a-0011-20241212. SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 30 6.36 Table 19 of the Local Planning Authority's latest housing monitoring17 information confirms that the under-delivery of homes in comparison to the 2016 Local Plan trajectory was, at the end of monitoring year 2024/25, 3,862 dwellings. This is forecast to reduce to 3,297 dwellings at the end of the monitoring period that the Local Plan is envisaged by DWH to be adopted (2027/28). 6.37 It is DWH view that by not adopting a housing requirement that seeks to meet the full affordability adjustment, which itself addresses past under-delivery, the shortfall in delivery achieved over the Plan period should, as a minimum, be added to the housing requirement. Noting that the Plan period commences in 1st April 2020, any under delivery against the housing requirement from that point will be accounted for in the emerging Local Plan. However, it will not be taken into account prior to this point. Table 19 identifies that the shortfall at 31st March 2020 was 2,101 homes, which should be added to the proposed housing requirement. Housing affordability 6.38 The PPG confirms that the affordability adjustment within the standard method is made to ensure that "the minimum annual housing need starts to address the affordability of homes18 " (our emphasis). 6.39 Analysis shows that without the affordability adjustment, the requirement for East Devon would be just 601 homes per annum.

However, the application of the affordability adjustment would suggest that in order to start to address the affordability of homes within East Devon, there is a need for a further 555 homes per annum, to provide an overall annual objectively assessed need for housing of 1,156 dwellings per annum. 6.40 The emerging Local Plan, however, only seeks to provide an average annual requirement of 950 homes per annum, which means that over the plan period, each year, there would be a shortfall of 206 homes than the standard method would suggest is necessary in order to start to address the affordability of homes in East Devon. Rather than seeking to address affordability, it is likely that such a shortfall will, instead, exacerbate housing unaffordability. 6.41 Consequently, as drafted, the emerging Local Plan would not provide a housing requirement that would start to address housing affordability. It is therefore inconsistent with national planning policy and cannot, as currently drafted, be considered to be a justified proposition. The operation of the transitional arrangements with a stepped trajectory 6.42 Alongside setting a housing requirement that seeks to meet only 82.2% of the identified housing need over the plan period, Strategic Policy SP02 also seeks to employ a stepped trajectory, as follows: ? over the period 2020/21 to 2031/32 – 850 homes per annum; and ? over the period 2032/33 to 2041/42 – 1,070 homes. 6.43 For the first 12 years of the Plan, it is proposed that the housing requirement will be set at a level that is 100.4 homes per annum lower than the proposed annualised housing requirement (950.4 homes). As set out above, the annualised housing requirement itself has been set at a level that seeks to meet only 82.2% of the established housing need. 6.44 Consequently, over the period 2020 to 2032, the requirement is proposed to be just 73.5% of the objectively assessed need for housing. In comparison to the local housing need figure, over the period 2020 to 2032, the requirement would be just 10,200 homes, against a local housing need of 17 HOU-004(rev)c. 18 MHCLG, Planning Practice Guidance, Housing and Economic Needs Assessment, Paragraph: 006 Reference ID: 2a-006-20241212. SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 31 13,872 homes. It would mean that over the first 12 years of the Plan, the requirement would be 3,672 fewer homes than the objectively assessed need would suggest is required. /// Continued in 699335e6f95c9a3028d72267 ///

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

6.84 In order to remedy the deficiencies with the proposed housing requirement, there is a need to increase the housing requirement to 1,156 dwellings per annum/25,432 homes between 2020 and 2042 (and potentially by a further 1,156 dwellings, if the plan period is extended).

6.85 There would be a number of benefits with such an approach, including: ? ensuring that the requirement would be consistent with the Government policy objective of boosting the supply of homes; ? by setting a requirement that met the local housing need figure in full (including the affordability adjustment), there would not be the need to consider past under-delivery; ? housing affordability would start to be addressed; and ? East Devon would play its part in addressing the national housing crisis.

6.86 Monitoring information suggests that delivery rates of over 1,000 dwellings have been achieved in the past, with the forecast delivery rate for the current monitoring year anticipated to be greater than the local housing need figure (1,157 homes)24. To plan for the objectively assessed need for housing in full would therefore be positively prepared, justified or an effective proposition.

6.87 Whilst, in DWH view the Sustainability Appraisal is flawed, it does not identify any constraints that would suggest that a strategy that adopted the local housing need figure as the housing requirement would not be a justified approach.

6.88 If the Local Planning Authority continue to promote a housing requirement that will not provide for one in every six homes required, then, as outlined in the PPG, there will be a need to include the backlog to date from the 2016 Local Plan, which is currently approximately 2,100 homes.

Full name: Alex Bullock

Organisation (where relevant): LVA

Other party name (if relevant): Clyst Honiton (Holdings) LVA LLP

Proposal:

3. The Spatial Strategy

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: As the Council is aware, LVA has other land interests across East Devon and as part of representations in connection with those sites we have raised concerns with regard to the level of housing being planned for not being consistent with the latest national policy on housing need and proceeding on the basis of the 80% minimum threshold progressing under the transitional arrangements. We consider that the Council in following this approach is seeking to plan for the minimum amount of housing and not seeking to boost significantly the provision of new housing nor giving any consideration to potential unmet housing need that might arise from neighbouring Exeter which has highly constrained housing area. It is also the case that affordable housing need within East Devon is significant and by planning for the minimum is unlikely to result in the full affordable housing need being met. We remain concerned that having chosen this approach and given the timings around the transitional arrangements as defined by the National Planning Policy Framework (NPPF, 2024), the Council is running the risk of planning for the minimum amount of housing and potentially missing the deadline for the submission of the Plan for Examination given the timings of this consultation and the available time to work through any necessary changes. Should that occur then the Council would need to go back a step in order to find an additional 20% of housing.

Full name: James McMurdo

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

Other party name (if relevant): Stuart Partners Ltd

Proposal:

3. The Spatial Strategy

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

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

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

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

Objection (maintained) Reasons (as per previous representations)

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

• Remove housing land allocations from national landscape areas (which are not market facing in any case) and

• Allocate more housing land away from national landscapes and to meet EDDC's and ECC's unmet needs, on the area free from development constraints, the "West End" of the district.

Full name: James McMurdo

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

Other party name (if relevant): Stuart Partners Ltd

Proposal:

3. The Spatial Strategy

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

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

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

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

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

Our client maintains objections to the Plan on these grounds for the same reasons as conveyed in our representations from March 2025 to the first Regulation 19 Plan, (housing land supply, employment land supply, allocations in conflict with the Sustainability Appraisal (SA) (and Habitats Regulation Assessment (HRA)) and duty to cooperate, broadly) and is still of the view that the Plan will have to go back to Regulation 18 stage, for the reasons set out.

Full name: James McMurdo

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

Other party name (if relevant): Stuart Partners Ltd

Proposal:

3. The Spatial Strategy

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

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

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

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

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

Objection (maintained) Reasons (as per previous representations))

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove housing land allocations from national landscape areas (which are not market facing in any case) and

In line with the SA, allocate more housing land away from national landscapes and to meet EDDC's an ECC's unmet needs, on the area free from development constraints, the "West End" of the district

Full name: James McMurdo

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

Other party name (if relevant): Stuart Partners Ltd

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: McMurdo Land Planning on behalf of Mr P and Mrs A Broom

Housing Delivery and 5 Year Housing Land Supply (5YHLS)

1. Our client maintains objections to the Plan on these grounds for the same reasons as conveyed in our representations from March 2025 to the first Regulation 19 Plan, (housing land supply, employment land supply, conflicts with Sustainability Appraisal (SA) and HRA, and duty to cooperate, broadly) and is still of the view that the Plan will have to be redrafted for the reasons set out therein.

Full name: Andy Shepley

Organisation (where relevant): OG Group Ltd

Other party name (if relevant): Rubix Strategic Ltd

Proposal:

3. The Spatial Strategy

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

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

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

Full name: Andy Shepley

Organisation (where relevant): OG Group Ltd

Other party name (if relevant): Rubix Strategic Ltd

Proposal:

3. The Spatial Strategy

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

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

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

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Unless the emerging Local Plan has already been submitted for examination by this time, the Council will need to calculate the minimum local housing need of the current standard method following the publication of updated affordability ratios in March 2026 and again following the publication of updated housing stock data in May 2026 to ensure that the proposed housing requirement still meets at least 80% of current minimum local housing needs such that the transitional arrangements will continue to be engaged. ii. Modify the proposed plan period from 2020-42 to 2020-44 to ensure that the plan will provide for a 15 year plan period from the point of adoption as required by paragraph 22 of the NPPF. iii. Modify the proposed housing requirement to 22,810 homes to reflect the revised plan period of 2020-44. Modify the proposed housing and/or employment requirements to ensure that there is a sufficient labour supply to support the planned economic growth as required by paragraph 86c of the NPPF, which will require either an increase to the housing requirement, a reduction to the employment land requirement or a combination of these. vi. As set out in the PPG, the Council will need to consider whether it is appropriate to plan for a greater number of homes to better respond to the need for 9,093 affordable homes given that the emerging Local Plan suggests that it will only provide for 5,888 affordable homes, justify the conclusions reached, and as appropriate amend the housing requirement accordingly. R001v1 | NT | January 2026 20 vii. The proposed stepped requirement of Strategic Policy SP02 is entirely unjustified and contrary to national guidance and policy such that the emerging Local Plan will need to be modified through the deletion of this part of the policy. viii. Even if the stepped housing requirement was somehow found to

be justifiable, it would need to be amended to ensure that this aligned with the overall housing requirement as set out in the PPG.

Full name: Andy Shepley

Organisation (where relevant): OG Group Ltd

Other party name (if relevant): Rubix Strategic Ltd

Proposal:

3. The Spatial Strategy

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

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

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

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

7.1 As set out above, based on the Housing Trajectory in the emerging Local Plan, the LPA will be able to demonstrate a five-year land supply at the point of adoption and thereafter. This is however dependent upon the Housing Trajectory being achieved, which as set out above is very unlikely given the track record in East Devon and the deliverability of sites such as Land at St John's, Exmouth.

7.2 However, the supply will change on an ongoing basis, and as such a detailed assessment of the deliverable supply has not been undertaken for the purpose of these representations as this would become obsolete by the time of the examination. Pegasus Group however considers that the supply will be materially lower than that suggested by the Housing Trajectory and reserves the right to submit representations to subsequent housing land supply assessments that are prepared in support of the emerging Local Plan.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Additional supply will need to be identified to ensure that the emerging Local Plan provides sufficient headroom to meet the proposed minimum housing requirement, which itself falls substantially short of meeting current minimum local housing needs. This could be achieved at least in part by increasing the identified capacity of proposed allocations such as at Land at Marley Drive, Exmouth (Exmo_04a).

8.2 On the basis of the available evidence, providing the preceding actions and modifications are pursued, the emerging Local Plan is capable of being found sound insofar as housing need and supply matters are concerned. However, Pegasus Group has not assessed the deliverable or developable supply but reserves the right to do so, as and when updated evidence is provided prior to or throughout the examination process.

8.3 It should however be underlined, that the emerging Local Plan (subject to the preceding actions and modifications) will only be capable of being found sound as a result of the transitional arrangements, given that the emerging Local Plan provides for substantially fewer homes than are needed as a minimum according to current national policy. Accordingly, assuming that the necessary additional work is undertaken, and the emerging Local Plan is modified as required to accord with national policy, such that it can be found sound, then there will be a need to adopt a new Local Plan within five-years to address the substantial unmet need for housing and work should be commenced on this as soon as is practicable. In the interim, there will remain a substantial unmet need for housing without an adopted plan-led solution.

Full name: Andy Shepley

Organisation (where relevant): OG Group Ltd

Other party name (if relevant): Rubix Strategic Ltd

Proposal:

3. The Spatial Strategy

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

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

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

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

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

4.23 The proposed housing requirement exceeds the minimum local housing need of the former standard method as required as a consequence of the transitional arrangements.

4.24 However, at least at present, there is no evidence that the unmet needs of Torbay will be addressed elsewhere, or that if this is not the case, it would be unsustainable to do so within East Devon. Accordingly, at least on the basis of the available evidence, the proposed housing requirement is inconsistent with paragraphs 61 and 11b of the NPPF. Accordingly, effective engagement will need to occur with other authorities in the sub-region to demonstrate that the unmet needs of Torbay will be addressed elsewhere, but if not, a contribution towards these unmet needs unless it is demonstrated that it would be unsustainable to do so.

4.25 Similarly, additional work and modifications will be required to ensure that the economic and housing ambitions of the emerging Local Plan are aligned as required by paragraph 86c of the NPPF, which will necessitate either a substantive increase to the housing requirement, a substantive reduction in the size or number of employment allocations proposed, or a combination of these.

4.26 Additionally, on the basis of the evidence provided in the Local Housing Needs Assessment, the emerging Local Plan will fall considerably short of meeting affordable housing needs in full and as such consideration will need to be given to whether it is appropriate to increase the housing requirement to better respond to needs as set out in the PPG.

4.27 As a result of each of these factors, the currently drafted emerging Local Plan is inconsistent with national policy and will therefore require modification in order to be found sound. It will fall to the Council to undertake the necessary additional work and amend the current draft as appropriate. In light of this, it is probable that the proposed housing requirement will need to increase to make a contribution towards unmet needs, support the currently drafted economic ambitions of the plan, and/or to better respond to affordable housing needs. However, the extent of any increase will need to be informed by the subsequent work of the Council and as such the final housing requirements cannot currently be pre-empted. As such, the following representations proceed on the basis of currently proposed housing requirement. R001v1 | NT | January 2026 12

5. Stepped Housing Requirement Justification for a stepped requirement

5.1 The PPG (68-021) sets out that a stepped requirement may be appropriate where there is a significant change in the housing requirements of previous and emerging plans, and/or where strategic sites are expected to be delivered later in the plan period, and that evidence will need to be provided to support such a stepped requirement, noting that this should not be used to unnecessarily delay meeting identified development needs.

5.2 Policy Strategy 1 of the adopted East Devon Local Plan sets a requirement for 17,100 homes over the period 2013-31, which equates to 950 homes per annum. Therefore, the proposed housing requirement of 950 homes per annum does not represent a significant change and so does not justify a stepped housing requirement.

5.3 Similarly, the housing trajectory set out in Appendix 1 of the emerging Local Plan suggests that the levels of delivery will be broadly consistent from the point of adoption over the remainder of the plan period, such that this does not justify a stepped requirement.

5.4 Instead, the Housing Delivery Technical Paper seeks to justify a stepped requirement on the basis that this is necessary to maintain a five-year land supply. However, based on the housing trajectory in the emerging Local Plan it would not be necessary to step the housing requirement to maintain a five-year land supply as illustrated in Table 5.1 below. Table 5.1 Requirement (950 per annum from 2020-42) Cumulative requirement Forecast completions Cumulative forecast completions Shortfall accrued prior to base-date (if any) Five-year requirement (exc. shortfalls and buffer) Five-year requirement including shortfalls (exc. buffer) Five-year requirement including 5% buffer Deliverable supply over five-year period No. of years supply 2027/28 950 7,603 692 6,856 489 4,752 5,241 5,503 5,645 5.13 2028/29 950 8,554 689 7,545 747 4,752 5,499 5,774 6,355

5.50 2029/30 950 9,504 1,386 8,931 1,009 4,752 5,761 6,049 6,846 5.66 2030/31 950 10,455 1,602 10,533 573 4,752 5,325 5,591 6,605

5.91 2031/32 950 11,405 1,276 11,809 0 4,752 4,752 4,990 6,256 6.27

5.5 It is therefore apparent that the justification provided for a stepped requirement does not stand up to scrutiny. Indeed, this is evident from the Housing Delivery Technical Report which R001v1 | NT | January 2026 13 suggests that with the proposed stepped requirement, a 6.64 year land supply would be able to be demonstrated at the point of adoption.

5.6 Not only is there no justification for stepped requirement in East Devon, such that the proposal is contrary to national policy and will only serve to delay meeting development needs contrary to the objectives of national policy, it is especially inappropriate in East Devon given that the proposed housing requirement already falls short of meeting current minimum local housing needs by 2,944 homes over the plan period. As such the stepped requirement is wholly unsustainable.

5.7 Furthermore, even if there was any justification for a stepped requirement, Strategic Policy SP02 proposes a requirement for only 850 homes per annum from 2020-32 which is: i. Less than the minimum local housing need for 932 homes per annum which arose from even the former standard method in 2020 and so means that the Local Plan wouldn't even meet former needs for the first 12 years of the plan period. ii. Less than 80% of the current minimum local housing need which would be 924 homes per annum and so wouldn't accord with the transitional arrangements of paragraph 234a of the NPPF for at least the first 12 years of the plan period. iii. Less than the adopted housing requirement of 950 homes per annum, and so would clearly not significantly boost the supply of housing contrary to paragraph 60 of the NPPF. iv. Less than the average number of completions achieved or forecast to be achieved prior to adoption and so would again serve to frustrate any boost to housing supply.

5.8 In short, the proposed stepped requirement is entirely unjustified, unsustainable and contrary to national policy and should be deleted from the emerging Local Plan. Inconsistency with overall housing requirement

5.9 In the event that a stepped requirement is persisted with, the PPG (68-021) confirms that such stepped requirements will need to ensure that the planned housing requirements are met fully within the plan period.

5.10 However, Strategic Policy SP02 proposes a stepped housing requirement providing 850 homes per annum from 2020-32 and the 1,070 homes from 2032-42. This provides for a requirement for 10,200 homes over the period 2020-32 (=850 per annum x 12 years) and against a requirement for 10,700 homes over the period 2032-42 (1,070 per annum x 10 R001v1 | NT | January 2026 14 years), which provides for a total requirement

for 20,900 homes rather than the minimum housing requirement for 20,909 homes set out in Strategic Policy SP02. The stepped requirement therefore clearly does not ensure that the planned housing requirement is met in full over the plan period contrary to the requirements of national guidance.

5.11 This is particularly concerning given that the five-year land supply and thereby the performance of policies will be assessed against the stepped housing requirement as set out in the PPG (68-026). As a consequence of the stepped requirement providing for fewer homes that the stated minimum requirement, the performance of policies will not be being assessed against the stated requirement in Strategic Policy SP02 contrary to national policy.

5.12 Therefore, even if there were any justification for a stepped requirement, the stepped requirement would need to be modified to ensure that it aligns with the overall housing requirement. R001v1 | NT | January 2026 15

6. Plan period supply Headroom

6.1 Paragraph 3.11 of the emerging Local Plan suggests that there is a potential supply of 22,943 homes over the plan period. It suggests that this provides a headroom of 12.18% but this has been miscalculated as it actually provides for a headroom of only 9.7% (=22,943/20,909) against the proposed housing requirement.

6.2 It is therefore apparent that the emerging Local Plan does not even (quite) provide for a headroom of 10-15% which is the minimum required to ensure that the proposed housing requirement will be met given that a significant proportion of the identified supply will not come forward as anticipated.

6.3 Indeed, the fact that a significant proportion of the supply does not come forward as anticipated is evident from a comparison of the housing trajectory within the currently adopted Local Plan with what has actually been achieved as set out below.

6.4 The preceding charts suggest that the supply in the adopted Local Plan was over-estimated by far more than 9.7%. Indeed, whilst the precise figures in the adopted housing trajectory are not available, it is estimated that the Council anticipated that somewhere of the order of 13,200 homes would be delivered from 2015-2 whereas only 8,815 homes were delivered in this period, such that the supply was over-estimated by 50% which would suggest that all R001v1 | NT | January 2026 16 things being equal given the track record in this area, it would be necessary to provide a headroom of 50% in order to actually meet the proposed housing requirement.

6.5 As such, this not only underlines the importance of ensuring that the identified sites will be delivered but also provides a strong indication of a need to identify additional supply and provide additional headroom to ensure the delivery of the proposed housing requirement.

6.6 It should also be noted that the headroom of 9.7% relative to the proposed housing requirement does not mean that there is a potential surplus of supply relative to needs. Indeed, even if all of the potential supply was realised and provided 22,943 homes, this would still fall significantly short of meeting the current minimum local housing need for 23,853 homes over the plan period. This again underlines the importance of every single proposed allocation and even these won't be sufficient to meet current minimum local housing needs.

Full name: Andy Shepley

Organisation (where relevant): OG Group Ltd

Other party name (if relevant): Rubix Strategic Ltd

Proposal:

3. The Spatial Strategy

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

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

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

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

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

4.1 Paragraph 61 of the December 2023 NPPF identifies that the minimum number of homes needed should be informed by a local housing need assessment conducted using the former standard method which existed at that time.

4.2 As such the East Devon Local Housing Needs Assessment (October 2025) has been prepared. However, rather than assess the local housing need, the Local Housing Needs Assessment simply assumes that the proposed housing requirement for 20,909 homes represents the local housing need. In effect, the proposed housing requirement has informed the local housing need assessment rather than the other way around contrary to the expectations of national policy.

4.3 Notwithstanding this unorthodox approach, as alluded to in paragraph 3.9 of the emerging Local Plan, the proposed housing requirement is greater than the minimum local housing need that arose from the former standard method, and as such whilst the proposed housing requirement does not reflect the former or current minimum local housing need, it is in excess of the former minimum local housing need as required by national policy under the transitional arrangements.

4.4 However, paragraphs 61 and 67 of the NPPF are clear that the standard method provides only the minimum starting point and other factors will also need to be taken into account to determine whether the need is in fact greater than the minimum suggested by the former standard method, and in turn whether the proposed housing requirement fully meets the objectively assessed need for housing of the former NPPF. These factors are therefore considered below. Unmet needs of neighbouring areas

4.5 Paragraph 61 of the NPPF identifies that any housing needs that cannot be met in neighbouring areas should also be taken into account. Indeed, paragraph 11b requires that such unmet needs are addressed unless footnote 7 policies provide a strong reason to restrict the overall scale of growth, or any adverse impacts of meeting these needs would significantly and demonstrably outweigh the benefits.

4.6 In order to identify any such unmet needs, paragraph 27 of the NPPF requires that one or more statements of common ground are maintained. As such, the Duty to Cooperate R001v1 | NT | January 2026 8 Statement Draft Statement of Common Ground on Housing, Employment and Site Allocations has been prepared.

4.7 This identifies that the neighbouring Councils of Dorset, Somerset and Mid Devon are as yet unable to identify whether there is an unmet need for housing within their areas. As such, in the absence of a demonstrable unmet need, the emerging Local Plan does not propose to make a contribution to address any such needs but instead proposes to take account of these if they arise in paragraph 3.8 of the consultation draft which is agreed to be appropriate.

4.8 The Duty to Cooperate statement does however indicate that Torbay Council has requested that East Devon accommodates some of its unmet needs. According to the emerging Torbay Local Plan, having applied paragraph 11b of the NPPF, there is only capacity to sustainably provide 8,000 homes in response to the minimum need for 19,000 homes in Torbay such that there is an unmet need for 11,000 homes over the period 2025-45.

4.9 There isn’t any evidence to demonstrate that the unmet needs of Torbay are being addressed elsewhere such as South Hams, Teignbridge or Exeter (as would be preferable given the distance between East Devon and Torbay), or that footnote 7 policies provide a strong reason to not respond to this need within East Devon, or that the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. As such, on the basis of the available information, national policy requires that a contribution is made towards the unmet needs of Torbay.

4.10 Additional work will therefore be required to determine the appropriate contribution to be made towards meeting these unmet needs, if any, including effective engagement with other authorities across the sub-region to see if these 11,000 homes or at least a proportion of these can be provided in locations closer to Torbay. However, if there remains an unmet need, this should be addressed within the emerging Local Plan unless either footnote 7 policies provide a strong reason not to do so, or the adverse impacts would significantly and demonstrably outweigh the benefits.

Full name: Andy Shepley

Organisation (where relevant): OG Group Ltd

Other party name (if relevant): Rubix Strategic Ltd

Proposal:

3. The Spatial Strategy

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

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

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

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

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

3.1 The emerging Local Plan proposes to cover the period 1st April 2020 to 31st March 2042 as set out in Strategic Policy SP02.

3.2 The emerging Local Plan suggests that it will be submitted for examination in 2026. Given that it took 2 years and 5 months from the submission of the currently adopted East Devon Local Plan until adoption (from August 2013 to January 2016), and that on average it takes 1 year and 8 months nationally, the emerging Local Plan wouldn't be expected to be adopted until somewhere between late 2027 and late 2028. On either of these bases, the emerging Local Plan wouldn't provide for a minimum 15 year period from adoption contrary to the requirements of paragraph 22 of the NPPF. As such, the plan period will need to be extended by at least a year but very probably by two years in order to accord with national policy.

3.3 This in turn will necessitate revisions to the housing requirement of Strategic Policy SP02 such that based on the annualised requirement for 950 homes set out in paragraph 3.10 of the consultation draft, there would be a need for a requirement for 21,859 homes over the period 2020-43, or 22,810 homes over the period 2020-44.

Full name: Andy Shepley

Organisation (where relevant): OG Group Ltd

Other party name (if relevant): Rubix Strategic Ltd

Proposal:

3. The Spatial Strategy

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: EAST DEVON LOCAL PLAN 2020-2042 – SECOND REGULATION 19 CONSULTATION REPRESENTATIONS ON BEHALF OF RUBIX STRATEGIC LTD. OG Group is responding to the Second Regulation 19 consultation on behalf of Rubix Strategic Ltd ("Rubix"). Rubix is promoting the Land at Marley Drive in Exmouth, which is currently included as a draft allocation in the emerging Plan (Site ref: Exmo_04a) for c.50 dwellings. Rubix would make the following comments on the revised Reg.19 Plan Policy SP02: Levels of future housing development Rubix has commissioned Pegasus Consultants to undertake a detailed assessment of housing need and supply, which is attached with these representations. Pegasus has concluded that the evidence used to formulate the proposed housing requirements under Policy SP02 is lacking in a number of respects. We conclude that the policy is not justified and is inconsistent with national policy and guidance; as currently drafted, the Plan is therefore unsound.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Pegasus considers that the following actions are required prior to submission of the plan, in order to make the plan sound with regard to housing need and supply: i. Unless the emerging Local Plan has already been submitted for examination by this time, the Council will need to calculate the minimum local housing need of the current standard method following the publication of updated affordability ratios in March 2026 and again following the publication of updated housing stock data in May 2026, to ensure that the proposed housing requirement still meets at least 80% of current minimum local housing needs such that the transitional arrangements will continue to be engaged. ii. Modify the proposed plan period from 2020-42 to 2020-44 to

ensure that the plan will provide for a 15-year plan period from the point of adoption as required by paragraph 22 of the NPPF. iii. Modify the proposed housing requirement to 22,810 homes to reflect the revised plan period of 2020-44. iv. Effectively engage with other authorities in the sub-region to ensure that the unmet need of 11,000 homes in Torbay is addressed elsewhere. If this is not the case, the emerging Local Plan will need to make provision for these unmet needs unless evidence is provided to demonstrate that footnote 7 Planning Policy Team East Devon District Council Blackdown House Border Road Heathpark Industrial Estate Honiton EX14 1EJ policies provide a strong reason to not make a contribution, or that to make a contribution would significantly and demonstrably outweigh the benefits. v. Modify the proposed housing and/or employment requirements to ensure that there is a sufficient labour supply to support the planned economic growth as required by paragraph 86c of the NPPF, which will require either an increase to the housing requirement, a reduction to the employment land requirement or a combination of these. vi. As set out in the PPG, the Council will need to consider whether it is appropriate to plan for a greater number of homes to better respond to the need for 9,093 affordable homes given that the emerging Local Plan suggests that it will only provide for 5,888 affordable homes, justify the conclusions reached, and as appropriate amend the housing requirement accordingly. vii. The proposed stepped requirement of Strategic Policy SP02 is entirely unjustified and contrary to national guidance and policy such that the emerging Local Plan will need to be modified through the deletion of this part of the policy. viii. Even if the stepped housing requirement was somehow found to be justifiable, it would need to be amended to ensure that this aligned with the overall housing requirement as set out in the PPG. ix. Additional supply will need to be identified to ensure that the emerging Local Plan provides sufficient headroom to meet the proposed minimum housing requirement, which itself falls substantially short of meeting current minimum local housing needs. In order to assist with meeting this additional supply, the Council should increase the identified capacity of proposed allocations, including Land at Marley Drive, Exmouth (Exmo_04a).

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

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

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: [this representation is also relevant to Spatial Policy chapter paragraphs 3.1 to 3.14 inclusive]

We have through earlier representations made on the emerging Local Plan raised concerns regarding the overall strategy of the Plan, particularly in terms of approach to meeting housing needs and an inherent imbalance towards constraint and matters that ultimately constrain growth opportunities and the delivery of sustainable development. Some of those issues unfortunately still remain apparent in the Regulation 19 Part 2 version of the Plan with no substantive changes being made to the overall Plan strategy and how levels of future housing delivery will be managed.

Policy SP01 – Spatial Strategy: We continue to broadly support the spatial strategy outlined in Policy SP01 which continues to recognise the role of Honiton as a Main Centre where significant development can be accommodated, although we do consider that the level of actual provision is too low and is not sufficient to address the historic lack of delivery of new homes at Honiton.

There are further site opportunities that continue to be overlooked as raised further in representations in relation to Policy SD03 (Honiton and its Development Allocations) which could contribute to addressing these needs. My clients' site at Heathfield Manor, Honiton is one such site, providing a logical extension to the town and forming a

significantly improved landscape and habitat relationship between the urban edge and National Landscape.

We also remain concerned regarding the continued reliance on the new community in respect of this Plan period. The experience of Cranbrook demonstrates the long lead-in times in respect of delivery, with first occupations at Cranbrook occurring some 20 years post allocation (having been arguably a more defined proposal than the new Marlcombe community at that stage). We provide additional comments on this in relation to Strategic Policy WS01. None of the changes within the Part 2 version address the risks to delivery. Indeed, increased aspirations for affordable housing and higher densities at Marlcombe increase the likelihood of delivery rates not being achieved.

We also consider it to be short-sighted not to consider further provision at Cranbrook beyond the adopted Cranbrook Plan area, given it clearly would be a sustainable option for delivering additional growth and infrastructure is already in place or planned. This alongside other deliverable sites would provide the opportunity for contingency and bring much needed resilience to the Plan.

Policy SP02 – Levels of Future Housing Development: We are greatly concerned that the Council has not sought either to revisit the stepped approach to housing delivery or provide any further justification for its approach within the Part 2 Reg 19 consultation. We have set out in our previous reps that this is unjustified, will simply defer housing delivery and will widen the gap between supply and unmet need. This is in the context of the Plan already seeking to under provide on its strategic housing requirement by utilising the NPPF transitional arrangements to reduce this by 20%. This is despite the clear intention of the transitional arrangements being to provide the opportunity for advancing Local Plans quickly after the publication of the revised NPPF and issue a Regulation 19 Plan by March 2025. Nearly a year on from this the Council remains unsettled on its Regulation 19 Plan (as evidenced by this Part 2 consultation) with fundamental questions remaining regarding its soundness and around the delivery of key sites.

The stepped housing delivery approach proposed within SP02 will instead defer the issue of under delivery to the later parts of the Plan at which point unmet needs will be substantial with little prospect of addressing any shortfall. Therefore, rendering the Plan ineffective and failing to deliver sustainable development in order to meet the needs of its community consistent with national policy.

The stepped approach will have the effect that for more than half of the Plan period housing delivery will be proposed at 71% of the new standard method, a reduction of more than a quarter of the local housing needs target. Resulting in substantial unmet need and, critically, a substantial shortfall with no certainty that the Plan will address this in the later Plan period.

That the Part 2 Regulation 19 Plan does not address this issue or justify its approach does nothing to suggest that the proposed stepped approach is not simply a contrived way of firstly attempting to benefit from the transitional arrangements and secondly, avoiding making the important and difficult decisions required to meet the District's substantial level of housing need.

We set out in our previous representations that the circumstances where a stepped approach might be appropriate are not relevant in East Devon, this is because:

• Required housing numbers are not significantly different to those within the previous Local Plan (indeed they are the same under the transitional arrangements);

• Many of the allocated sites within the Plan are not 'strategic' in the sense of the PPG;

• The uncertainties around the delivery of Marlcombe at the latter part of the Plan period suggests the Plan should look to maximise delivery of non strategic sites in the earlier stages of the Plan period;

• The nationwide Lichfield report relied upon by the Council identifies that smaller sites (under 100 dwellings) which make up a significant proportion of the Plan's allocation are capable of being delivered in 4 years; and

• Environmental constraints and planning challenges are not unique to East Devon.

The Council's attention is drawn to the Inspector's Detailed Stage 2 Post Hearing Letter following the Examination of the Wiltshire Local Plan in December 2025 which heavily criticises the stepped housing approach for the reasons outlined above. The Inspector further questioned why the stepped housing approach was not tested as part of the Sustainability Appraisal of the Plan (see Wiltshire Local Plan Examination). These same criticisms that such an approach is neither positively prepared nor justified are equally relevant to the East Devon Plan.

Rather than justify a stepped approach, we consider the above factors should lean towards a Plan that seeks to frontload and maximise delivery from a range of sites rather than metaphorically 'kicking the can down the road' by delaying delivery and then over relying on the latter part of the Plan period.

Some of the concerns the Council now raise in respect of early delivery are a direct consequence of the decisions made which saw some larger sites allocated on capacity grounds without due regard to constraints such as securing appropriate access, ecology impacts, heritage impacts and land ownership and the unjustified removal of other sites which could have contributed to housing delivery in the earlier stages of the Plan. We outline these concerns in representations to Policy SD03 in respect of our clients' site at land at Heathfield Manor, Honiton which was not carried forward from the Regulation 18 Plan, contrary to officers recommendations.

There were a wide range of opportunities for further allocated sites as evidenced by the Regulation 18 version of the plan and site selection processes, which identified a number of suitable and available sites that would not have high infrastructure burdens and could come forward quickly. It is regrettable that the inconsistencies of the Regulation 19 site selection process have meant that some sites considered suitable at Regulation 18 (and more deliverable in many cases) were removed at Regulation 19, whilst other sites, with more challenging constraints, not previously considered were allocated in their place.

The Council had in front of them a range of sites in key settlements identified as available and suitable which have not been taken forward, but if they were, they could still provide significant resilience to the Plan strategy by supporting early and increased delivery rates, negating a flawed stepped housing approach.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: As we have set out above the Plan's approach in setting a stepped housing target is unjustified, goes against the spirit of the NPPF transitional arrangements and seeks to effectively push the matter of delivering housing to meet local needs into the next local plan cycle. The Government have been clear that in introducing the transitional arrangements they expect the progress of plans to be

maintained, whilst maximising proactive planning for the homes communities need. We consider the stepped approach does not support the Government's intentions.

Therefore, currently this approach risks rendering the Plan unsound in our view. To address this the Plan will need to be the subject of fundamental modification. This will include removing all reference to the stepped approach within Policy SP02 and instead including a consistent housing requirement of 950.4 dwellings per annum over the entire Plan period.

In addition, to provide greater resilience against the delivery issues the Council has identified in relation to larger sites, modifications should be made to include a range of sites that can support greater resilience for early Plan delivery. This includes reviewing and allocating opportunities already previously considered through the site selection process where sites were previously proposed to be allocated in earlier stages of the Plan and/or where they have not been discounted on deliverability grounds.

These Modifications are essential for addressing the unjustified stepped approach towards housing delivery and ensuring the Plan can be found sound. Otherwise, the Plan as its stands would not be positively prepared in that it fails to deliver the housing required to meet local needs. Its approach is not justified by the evidence base nor is it consistent with national policy. The result will be an ineffective Plan that fails to deliver for the needs of its community.

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

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

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

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

Proposal:

3. The Spatial Strategy

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

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

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

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

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: [Representation also applies to Spatial Strategy chapter paragraphs 3.1 to 3.14 inclusive. See also representation for Policy SP01]

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: We have through earlier representations made on the emerging Local Plan raised concerns regarding the overall strategy of the Plan, particularly in terms of approach to meeting housing needs and an inherent imbalance towards constraint and matters that ultimately constrain growth opportunities and the delivery of sustainable development. Some of those issues unfortunately still remain apparent in the Regulation 19 Part 2 version of the Plan with no substantive changes being made to the overall Plan strategy and how levels of future housing delivery will be managed.

Policy SP02 – Levels of Future Housing Development: We are greatly concerned that the Council has not sought either to revisit the stepped approach to housing delivery or provided any further justification for its approach within the Part 2 Reg 19 consultation. We have set in our previous reps that this is unjustified, will simply defer housing delivery and widen the gap between supply and unmet need. This is in the context of the Plan already seeking to under provide on its strategic housing requirement by utilising the NPPF transitional arrangements to reduce this by 20%. This is despite the clear intention of the transitional arrangements being to provide the opportunity for advancing Local Plans quickly after the publication of the revised NPPF and issue a Regulation 19 Plan by March 2025. Nearly a year on from this the Council remains

unsettled on its Regulation 19 Plan (as evidenced by this Part 2 consultation) with fundamental questions remaining regarding its soundness and around the delivery of key sites.

The stepped housing delivery approach proposed within SP02 will instead defer the issue of under delivery to the later parts of the Plan at which point unmet needs will be substantial with little prospect of addressing any shortfall. Therefore, rendering the Plan ineffective and failing to deliver sustainable development in order to meet the needs of its community consistent with national policy.

The stepped approach will have the effect that for more than half of the Plan period housing delivery will be proposed at 71% of the new standard method, a reduction of more than a quarter of the local housing needs target. Resulting in substantial unmet need and, critically, a substantial shortfall with no certainty that the Plan will address this in the later Plan period.

That the Part 2 Reg 19 Plan does not address this issue or justify its approach does nothing to suggest that the proposed stepped approach is not simply a contrived way of firstly attempting to benefit from the transitional arrangements and secondly, avoiding making the important and difficult decisions required to meet the District's substantial level of housing need.

We set out in our previous representations that the circumstances where a stepped approach might be appropriate are not relevant in East Devon, this is because:

• Required housing numbers are not significantly different to those within the previous Local Plan (indeed they are the same under the transitional arrangements);

• Many of the allocated sites within the Plan are not 'strategic' in the sense of the PPG;

• The uncertainties around the delivery of Marlcombe at the latter part of the Plan period suggests the Plan should look to maximise delivery of non strategic sites in the earlier stages of the Plan period;

• The nationwide Lichfield report relied upon by the Council identify that smaller sites (under 100 dwellings) which make up a significant proportion of the Plan's allocation are capable of being delivered in 4 years; and

• Environmental constraints and planning challenges are not unique to East Devon.

Rather than justify a stepped approach, we consider the above factors should lean towards a Plan that seeks to frontload and maximise delivery from a range of sites rather than metaphorically 'kicking the can down the road' by delaying delivery and then over relying on the latter part of the Plan period.

There are a wide range of opportunities for further allocated sites as evidenced by the Regulation 18 version of the plan and site selection processes, which identified a number of suitable and available sites that would not have high infrastructure burdens and could come forward quickly. It is regrettable that the inconsistencies of the Regulation 19 site selection process have meant that some sites considered suitable at Regulation 18 (and more deliverable in many cases) were removed at Regulation 19, whilst other sites, with more challenging constraints, not previously considered were allocated in their place.

The Council had in front of them a range of sites in key settlements identified as available and suitable which have not been taken forward, but if they were, they could still provide significant resilience to the Plan strategy by supporting early and increased delivery rates, negating the stepped housing approach.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: As we have set out above the Plan's approach in setting a stepped housing target is unjustified, goes against the spirit of the NPPF transitional arrangements and seeks to effectively push the matter of delivering housing to meet local needs into the next local plan cycle. The Government have been clear that in introducing the transitional arrangements they expect the progress of plans to be maintained, whilst maximising proactive planning for the homes communities need. We consider the stepped approach does not support the Government's intentions.

Therefore, currently this approach risks rendering the Plan unsound in our view. To address this the Plan will need to be the subject of fundamental modification. This will include removing all reference to the stepped approach within Policy SP02 and instead including a consistent housing requirement of 950.4 dwellings per annum over the entire Plan period. In addition, to provide greater resilience against the delivery issues

the Council has identified in relation to larger sites, modifications should be made to include a range of sites that can support greater resilience for early Plan delivery. This includes reviewing and allocating opportunities already previously considered through the site selection process where sites were previously proposed to be allocated in earlier stages of the Plan and/or where they have not been discounted on deliverability grounds.

These Modifications are essential for addressing the unjustified stepped approach towards housing delivery and ensuring the Plan can be found sound. Otherwise, the Plan as its stands would not be positively prepared in that it fails to deliver the housing required to meet local needs. Its approach is not justified by the evidence base nor is it consistent with national policy. The result will be an ineffective Plan that fails to deliver for the needs of its community.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Given the current and previous representations made on the Emerging Local Plan on behalf of our clients, we have confirmed that we do wish to attend the Examination Hearings relevant to all the points raised in order to provide greater elaboration of the detail of these representations.

Full name: Emma Morrison

Organisation (where relevant): Pegasus Group

Other party name (if relevant): The Co-op Group Food Ltd.

Proposal:

3. The Spatial Strategy

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The plan period is set to 2020 to 2042. As the Council will be aware, the NPPF1 states strategic policies should look ahead over a minimum 15-year period from adoption and that where larger scale developments form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take in account the likely timescale for delivery.

4.8. Given the stage of the Plan preparation and the anticipated lead in times for the potential submission, examination and adoption of the Plan, in order to ensure that the Plan covers the full 15 years on adoption, the Plan period may need be extended until least 2043. This needs to be monitored against the EDLP's progression through these stages.

4.9. This Policy sets out that 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.

Full name: Sarah R Smith

Organisation (where relevant): Rapleys LLP

Other party name (if relevant): The Crown Estate

Proposal:

3. The Spatial Strategy

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

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

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

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: The Standard Method requires EDDC to provide circa 1,188 dwellings per annum. The Plan proposes (Policy SP02) at least 20,909 over the 22-year plan period which represents 80% of the requirement – in this context, the Plan is considered to be justified. TCE supports the principles of Policy SP02 in providing at least 20,909 dwellings over the plan period.

The development of a spatial strategy is a vital component of a Local Plan. Achieving more genuinely sustainable development in delivering growth is a key policy thrust of the East Devon Plan. The evidence base behind the Local Plan, including the Sustainability Appraisal, indicates consideration to varying development strategies prior to selecting the chosen option that appears in the Regulation 19 version

In this context, TCE supports the spatial strategy and level of housing proposed within the plan, which is considered to be justified and effective and consistent with national policy.

Full name: Nick Matthews

Organisation (where relevant): Savills

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

Proposal:

3. The Spatial Strategy

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

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

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

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

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

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

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

5. The remainder of this representation addresses these matters in turn before concluding on the changes that it is considered are needed to remedy the unsoundness of the Local Plan.

Standard Method Starting Point for Establishing Local Housing Need

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

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

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

9. As the intention is clear, we do not consider that the Local Plan consultation is able to proceed on the basis of the transitional arrangements and on that basis this crucial strategic policy of the Local Plan is unsound. 10. Annex One of the Framework details the arrangement for emerging local plans. There are various scenarios which could apply depending upon the stage that the emerging local plan has reached. The extract from Paragraph 234(a) of the Framework which EDDC is seeking to rely upon is copied below: "234. For the purpose of preparing local plans, the policies in this version of the Framework will apply from 12 March 2025 other than where one or more of the following apply: the plan has reached Regulation 19 82 (pre-submission stage) on or before 12 March 2025, and its draft housing requirement meets at least 80% of local housing need 83."

There are two related footnotes to paragraph 234. The first of these – Footnote 82 – is as follows: "Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 ('the Regulations'). In this context "reached Regulation 19" refers to when Regulation 19 has been complied with (i.e. when the planning authority has made a copy of each of the proposed submission documents and a statement of the representations procedure available, and the statements required in Regulation 19(b) have been sent to consultation bodies)." [emphasis added] 12. The reference to "each of the proposed submission documents" within Regulation 19 of the Regulations is

explicit and very important. In order to be considered to have reached Regulation 19, the whole of the Plan, i.e. each component part of the 'submission documents', must have been made available. This is a very deliberate piece of drafting by Government and we suspect its purpose is to preclude circumstances where a local planning authority could progress under the transitional arrangements contrary to their spirit and purpose. 13. Not all of the proposed submission documents for EDDC have been published. Indeed, the 'About this Consultation' section of the Local Plan states explicitly that: "Consultation starts on Thursday 13 February 2025. This will be the first planned phase of Regulation 19 consultation. A second phases of Regulation 19 consultation is planned to run from Spring 2025 through to the early summer (dates to be confirmed). Thereafter the plan will be submitted for examination in Autumn 2025." 14. Mac Mic contend that the Local Plan cannot therefore proceed under the transitional arrangements and that none of the exceptions contained within paragraph 234 of the Framework apply. 15. In such circumstances the housing requirement must reflect paragraph 62 of the Framework: "To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for". 16. There are two relevant components to this policy. The first explicitly and unambiguously requires local planning authorities to use the Standard Method as prescribed in the PPG, the second, addressing the unmet needs of neighbouring authorities, is addressed later in sub-section (b) of this Representation. There is no room for manoeuvre, with the references in the December 2023 Framework to 'exceptional circumstances' having very deliberately been deleted. 17. The Standard Method output for East Devon from the revised methodology of the PPG is 1,188 dwellings per annum (dpa) as acknowledged in paragraph 3.11 of the Plan. For the reasons set out above, it is this figure which the Plan must put in place proposals to deliver in order to satisfy the 'Positively Prepared' test of soundness in paragraph 36(a) of the Framework. As it stands, the Plan is unsound and significant Main Modifications are required to allocate a minimum of an additional 5,227 dwellings during the plan period to redress this shortcoming.

Accommodating the unmet housing needs of Exeter City Council 18. The Exeter Plan (Regulation 19) was published for consultation in December 2024. Policy H2 establishes a housing requirement for the plan period of 642 dpa between 2021 and 2041. This housing requirement is based on the previous version of the Standard Method. The revised version of the Standard Method increases the requirement to 800 dpa. 19. Whilst The Exeter Plan is progressing in accordance with the transitional arrangements, there is nevertheless a shortfall against the latest assessed local

housing needs. This shortfall is not addressed in the (undated) Duty to Cooperate Statement which states in relation to 'Housing – meeting neighbouring housing requirements': "There are no requests to meet the housing requirements on other local planning authorities at this stage. Early in the plan making, Torbay Council requested that the Exeter Housing Market Area (which includes the western part of East Devon) help to meet its housing requirement. This issue has been resolved through the examination of the Teignbridge Local Plan, which borders Torbay". 20. It is not clear when this Statement was produced but it appears that it has since become out of date. Regardless of any request from a neighbouring authority, it is evident from the figures above that a shortfall now exists. 21. In such circumstances the Framework is clear that unmet needs for neighbouring authorities should be accommodated. Indeed, the publication of the revised Framework in December 2024 significantly changed national policy in respect of the approach to housing supply and the accommodation of sufficient land for housing. It is now explicitly clear that the plan-making authority must plan for a scale of growth which accommodates their own local housing need as defined by the Standard Method and, where appropriate, some or all of the local housing need of the neighbouring authorities if those needs cannot be accommodated within their respective authority areas. Of particular relevance are the following paragraphs of the Framework: "24. Effective strategic planning across local planning authority boundaries will play a vital and increasing role in how sustainable growth is delivered, by addressing key spatial issues including meeting housing needs, delivering strategic infrastructure and building economic and climate resilience. Local planning authorities and county councils (in two-tier areas) continue to be under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries. 27. Once the matters which require collaboration have been identified, strategic policymaking authorities should make sure that their plan policies align as fully as possible with those of other bodies where a strategic relationship exists on these matters, and take into account the relevant investment plans of infrastructure providers, unless there is a clear justification to the contrary. In particular their plans should ensure that: … b) unmet development needs from neighbouring areas are provided for in accordance with paragraph 11b.

Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are 'sound' if they are: a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development; 62. To determine the minimum number of homes needed, strategic policies should be informed by a local housing need

assessment, conducted using the standard method in national planning practice guidance. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for." [emphasis added] 22. These policies are very clear. If an unmet need from a neighbouring authority exists, then it is a responsibility of the plan making authority to engage through the duty to cooperate to determine where that need is to be accommodated. Not only is this required in order to produce a sound plan, but it is crucial to address the housing affordability challenges within the area which have a direct impact on the lives of those people living across the Exeter Housing Market Area. 23. The key question is how much growth should the East Devon Local Plan seek to accommodate to address the unmet needs of its neighbours. It would appear that there is no agreement on this at present and that there is therefore a degree of uncertainty. 24. Prior to the December 2024 Framework there was no clear guidance available to plan making authorities or inspectors as to how to respond in such circumstances. However, the revised Framework directly addresses this matter. The new paragraph 28 acknowledges that: "28. In order to demonstrate effective and on-going joint working, strategic policy-making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning practice guidance, and be made publicly available throughout the plan-making process to provide transparency. Plans come forward at different times, and there may be a degree of uncertainty about the future direction of relevant development plans or the plans of infrastructure providers. In such circumstances strategic policy-making authorities and Inspectors will need to come to an informed decision on the basis of available information, rather than waiting for a full set of evidence from other authorities." 25. It is therefore incumbent upon the authorities to come to an evidenced judgement and to uplift the housing land supply to reflect those needs and we urge the authorities to come together as soon as possible to come to a view on the appropriate distribution.

Conclusion 26. "This Government has inherited an acute and entrenched housing crisis." (Minister of State for Housing and Planning - *** Personal details have been removed *** MP – in his Statement introducing the revisions to the NPPF on 12 December 2024). 27. For decades too few homes have been constructed across the country, housing affordability has spiralled and millions of households are unable to access the housing market. The new Government has moved rapidly and radically to revise national planning policy within six months of the General Election in order to put in place policies designed to increase the number of new homes being planned for and delivered. It's target of 1.5 million new homes during the current parliament is a hugely important ambition for the Government but it will be extremely challenging to achieve

unless there is a dramatic change in approach from all parties involved in the planning and delivery of new homes. 28. EDDC needs to play its part in addressing the housing crisis. Rather than trying force an unsound plan through under the transitional arrangements to justify a lower housing requirement the Council should have positively and proactively sought to update the policies and proposals of the Local Plan to reflect the local housing need as defined by the revised Standard Method. This misses the point of the new standard method entirely, which is to significantly increase the amount of housing delivery nationally for both social and economic reasons. 29. As it stands, the transitional arrangements do not apply to EDDC as not all of the Local Plan has been published for consultation in accordance with the requirements of Regulation 19 of the Regulations. The housing requirement in Policy SP02 of the draft Local Plan is therefore unsound. In accordance with the paragraph 36 of the Framework, the housing requirement and related elements of the Local Plan must be updated to reflect the revised Standard Method. 30. In addition to the housing needs of EDDC are the wider unmet needs of the housing market area. If EDDC doesn't seek to accommodate a proportion of the revised Standard Method for Exeter City there is a significant risk of under-delivery across the HMA. This under-delivery won't just affect the communities of Exeter City but it will increase the pressure on housing and affordability in East Devon.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The housing requirement for the emerging Local Plan should therefore be uplifted to reflect the updated Standard Method and to accommodate a proportion of the unmet need for housing arising from Exeter City.

Full name: Nick Matthews

Organisation (where relevant): Savills

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

Proposal:

3. The Spatial Strategy

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

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

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

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

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

Mac Mic has instructed Savills on their behalf to submit representations on their behalf to the emerging Local Plan in relation to the Land at Mosshayne. This land was previously promoted for development by another party and representations submitted in support of its allocation at the Regulation 18 stage of the consultation on the emerging Local Plan. It was also assessed through the HELAA process and assessed as a 'reasonable alternative' through the Sustainability Appraisal (SA) under site reference Brcl_31.

Whilst the site was tested as a reasonable alternative to the proposed strategic scale development in the West End, it is not on that basis that it is proposed for allocation. In other representations to the Regulation 19 Local Plan (the 'Plan') we have raised significant concerns over the compatibility of the housing requirement with the revised Standard Method and the consequent shortfall in the housing land supply. There is a need for the Plan to allocate further land for development in order to address this shortfall. For the reasons explained in this representation, the site is an ideal opportunity to accommodate a significant proportion of that shortfall. In summary it is: a. Compatible with the EDDC Spatial Strategy, providing strategic scale growth in a sustainable location within the West End of the authority area; b. Suitably and sustainably located in a relatively unconstrained location close to Exeter with good access to a wide range of services, facilities and sustainable movement opportunities;

and c. Available for development with the landowner having confirmed its availability and having entered into a promotion agreement with Mac Mic.

The site is therefore 'developable' in the first phase of the plan period in accordance with the definition in the Framework Glossary. The remainder of this representation expands upon these reasons.

Compatible with the EDDC Spatial Strategy

The Plan and the supporting evidence base provide very strong support for strategic scale growth in the West End of East Devon and the site aligns with the East Devon Local Plan spatial strategy for several key reasons: a) Strategic Location within the West End The East Devon Local Plan focuses on directing significant development towards the West End of the district, which includes land near Exeter and along key transport corridors. This area is deemed to be the most sustainable strategic location due to the colocation of housing and jobs. The site falls within this strategically important area, which has been identified for both housing and employment growth due to its connectivity and existing infrastructure. As explained in the following section, the site benefits from close proximity and sustainable transport connectivity to a significant range of employment opportunities. b) Sustainability and Infrastructure Support The West End is considered a highly sustainable development location because of existing and planned infrastructure, including public transport links, green infrastructure, and employment opportunities. The plan aims to cluster development in areas where services can be efficiently provided, reducing the need for car travel and minimising environmental impact. The site is perfectly placed to benefit from this existing and planned infrastructure growth. c) Proximity to the Clyst Valley Regional Park The sustainability appraisal of the Local Plan emphasises the importance of integrating new developments with the Clyst Valley Regional Park to provide green infrastructure, enhance biodiversity, and mitigate recreational pressure on sensitive sites. The site's location offers potential for such integration and enhancement by extending the regional park, thereby contributing to the plan's environmental objectives. d) Economic Growth and Job Creation The spatial strategy supports employment-led growth in the West End, recognising its role as a hub for high-value industries, including those linked to the Science Park and Exeter's economy. Development on the site would contribute to this vision by providing new homes for the future employees of the area.

For these reasons the site is compatible with the Local Plan spatial strategy because it supports sustainable development principles, aligns with infrastructure investment priorities, and fits within the overarching goal of focusing growth in the West End. EDDC has identified it as a viable option for development, pending resolution of access issues, making it a strategic and sustainable choice for future expansion

Suitably and Sustainably Located

7. The evidence produced by EDDC clearly demonstrates that the site represents a suitable and sustainable location for development. The two key pieces of evidence which point to this conclusion are the Sustainability Appraisal and the East of Exeter (brcl_31) Site Selection Report.

8. The former compiles high-level evidence regarding the sustainability of the site within the framework of the 13 objectives of the Sustainability Appraisal (SA). While the analysis conducted by the East Devon District Council (EDDC) and its consultants, LUC, indicates that the site is a suitable location, the methodology used does not consider potential mitigation options available. These options could address, and in some instances, overcome the adverse impacts of development. Furthermore, it does not account for opportunities for the development to enhance public benefits.

The analysis below ((see attachment)) responds to each of the SA objectives, commenting upon the 'score' that has been attributed to the site and how this would change through suitable design and/or mitigation measures.

The Site Selection Report produced by EDDC briefly summarises the key planning considerations. Whilst it recognises that there is a degree of landscape and heritage sensitivity with regards to the location, these matters are capable of mitigation through appropriate masterplanning and landscaping. The residual / post-mitigation adverse impact arising from the development would be significantly reduced if not eliminated. 11. The Report correctly notes that there would be a minimal ecological impact from the development of the land provided the existing trees and hedges are retained and that there are opportunities to integrate the on-site green infrastructure with the adjacent Clyst Valley Regional Park. 12. It is also recognise that the site is currently within good walking/cycling distance from a range of existing services and facilities. Whilst it is anticipated that further provision would be made on site as part of the development, the active travel accessibility of the site to existing services and facilities would reduce private car use and is therefore a significant positive benefit to the location. 13. The only technical challenge noted previously as part of the Reg 18 consultation to delivery of the

development was the ability to secure a suitable vehicle access due to no agreement having been reached with National Highways regarding the potential for a site access due to land ownerships. Further details are provided on this later in our representation. 14. The overall conclusion regarding the potential contribution of the site to spatial strategy presents an extremely positive assessment stating that: "Land at Mosshayne Lane is a sustainable location for new development, which would align with the councils overall spatial strategy. The site is in close proximity to the extensive facilities and services available in Exeter, as well as other existing infrastructure in the vicinity of the site, including Pinhoe railway station to the south west and Exeter science Park to the south. The proposed development could facilitate a connection over the railway providing a link to these facilities." 15. Despite this positive assessment the site was not proposed for allocation and the reason for this is explained in the following section of the report entitled 'Reasons for allocating or not allocating'. Under this heading EDDC reached the following conclusion:

"The proposed development would accommodate approximately 1000 dwellings, land for educational use and extensive areas of public open space (including a country park), which would collectively represent a sustainable community that could benefit future and existing residence within the Western part of East Devon. But because of highway access concerns allocation is not credible."

Conclusion

Based upon the EDDC evidence it is clear that there are no environmental constraints to development on the site and that the location is considered a sustainable opportunity to deliver strategic scale development. The only outstanding concerned raised by policy officers is highways, a matter addressed in the following section.

Available for Development 17. Mac Mic is promoting the land with the express intention of securing planning permission for the site prior to bringing the land forward to the market for development. 18. The only outstanding matter to resolve with regards availability of the land for development is the creation of a suitable vehicle access. To that end, Mac Mic are in extensive negotiations with National Highways and Devon County Highways regarding the creation of an access from the B3181 in the north and from Langaton Lane to the south. There is a good degree of confidence at this will result in a legal agreement that enables the delivery of a vehicle access into the site. Whilst this has not been completed yet, it is anticipated that agreement will be reached in

advance of the Local Plan Examination. 19. Once the access arrangements have been resolved, the site will be available and development achievable within the Plan period.

Overall Conclusion The current Draft Regulation 19 Local Plan is not consistent with national policy and therefore sound as it does not currently propose a housing requirement which would deliver the Standard Method output, nor allocate sufficient land to accommodate the Standard Method output. In accordance with our representation to Policy SP02 it is therefore necessary to increase the supply of housing land by a minimum of 5,227 homes during the plan period.

Consistent with the Local Plan evidence base and this representation, the Land at Mosshayne is a suitable, sustainable and achievable location to deliver a significant proportion of the housing land supply shortfall. Indeed, it could deliver up to 1,000 homes as part of a new neighbourhood which is compatible with the spatial strategy and exceptionally well located close to existing services, facilities, employment opportunities and sustainable transport infrastructure. Once the highway accessibility of the site has been confirmed, there is no reason why the land could not therefore be allocated in order to remedy the land supply shortfall that currently renders the Plan unsound.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: In accordance with our representation to Policy SP02 it is therefore necessary to increase the supply of housing land by a minimum of 5,227 homes during the plan period.

Full name: Nick Matthews

Organisation (where relevant): Savills

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

Proposal:

3. The Spatial Strategy

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

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The full representation text is appended Policy SP02

3. Savills submitted a number of representations to the Regulation 19 (Phase 1) Local Plan in March 2025. These representations included a critique of the proposed housing requirement in Policy SP02, contending that: a. the Local Plan cannot proceed under the transitional arrangements and the housing requirement must therefore reflect the revised Standard Method for calculating local housing need; and b. the emerging Exeter Local Plan does not propose the delivery of a level of housing which matches it's local housing need as defined by the Standard Method. There is therefore a shortfall across the HMA which should be addressed by the neighbouring authorities.

4. No changes are proposed to the Local Plan between the Phase 1 and Phase 2 consultations which overcome our objections and, for the reasons explained below, it is very clearly the case that the further revisions to the Regulation 19 Local Plan remain unsound. Our original response to Policy SP02 remains pertinent, the objections below are additional / supplementary to matter (a).

5. In summary, our objections under this heading at the previous stage of the Regulation 19 Local Plan were that EDDC has prematurely begun its Local Plan consultation in order to exploit transitional arrangements within the National Planning Policy Framework (NPPF). These arrangements allow a lower housing requirement only if a full set of Regulation 19 submission documents had been published by 12 March 2025. However, not all required documents were published, meaning EDDC has not legally

reached Regulation 19, so cannot rely on the transitional provisions. As a result, our view was that EDDC must use the revised December 2024 Standard Method to determine housing need. For the avoidance of doubt, the representation submitted to the Phase 1 Regulation 19 consultation remains relevant and this representation provides further / supplementary information. Our Phase 1 representation on this policy is appended.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The full text is appended- The Standard Method output for East Devon from the revised methodology of the PPG is 1,188 dwellings per annum (dpa) as acknowledged in paragraph 3.11 of the Plan. For the reasons set out above, it is this figure which the Plan must put in place proposals to deliver in order to satisfy the 'Positively Prepared' test of soundness in paragraph 36(a) of the Framework. As it stands, the Plan is unsound and significant Main Modifications are required to allocate a minimum of an additional 5,227 dwellings during the plan period to redress this shortcoming.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: We have fundamental objections to the policy which it is important to explain at the hearing sessions.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury Manor Estate

Proposal:

3. The Spatial Strategy

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

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: It is noted that no changes are proposed to draft Strategic Policy SP02 from that published in the first Regulation 19 consultation draft. We therefore object to the Policy on the basis of whether the Local Plan can proceed under the transitional arrangements and the proposed stepped trajectory. In terms of whether the Local Plan can proceed under the transitional arrangements, it is noted that draft Policy SP02 remains unchanged and therefore continues to propose at least 20,909 dwellings will be delivered between 1 April 2020 and 31 March 2042, with delivery being split into two phases with 850 dwellings per annum in the first phase from 2020/21 to 2031/32 and 1,070 dwellings per annum in the second phase from 2032/33 to 2041/42.

We maintain that the approach taken by the Council suggests an intention was to try and take advantage of the transitional arrangements contained in Annex 1 of the NPPF, and proceed with a housing requirement that falls below the Government's revised Standard Method output. This intention was very clear when reading how the proposed housing requirement had been described in paragraph 3.11 of the first Regulation 19 draft in early 2025 and the text in the second Regulation 19 draft remains unchanged. The consultation text seeks to justify that the requirement has been set at a level which just, by less than one dwelling per annum, exceeds the 80% threshold in paragraph 234(a) of the NPPF. This approach is not in accordance with the purpose of the transitional arrangements. These provisions are intended to enable Local Plans to

progress where an emerging local plan has advanced but not yet reached the Regulation 19 stage, not to set a minimum threshold for Local Plans for plans which are at Regulation 18 stage. This is unfortunately how the Regulation 19 plan reads. However, more fundamentally, when looking at the NPPF, in order to be considered to have reached Regulation 19, the whole of the Plan, i.e. each component part of a Regulation 19 local plan, must have been made available. This is a very deliberate piece of drafting by Government intended to preclude circumstances where a local planning authority could progress under the transitional arrangement contrary to their spirit and purpose. This government intention is unchanged in the latest consultation launched in December 2025 on potential changes to the NPPF. Within that consultation, the published draft NPPF at Annex 1 (paragraph 8) very clearly re-states that "any other plans being prepared should be produced in accordance with the version of this Framework published in December 2024, unless any of the transitional arrangements in Annex 1 to that Framework apply (in which case those transitional arrangements continue to apply)". This suggests that the direction given in the current NPPF will remain unchanged. Furthermore, when looking at the latest guidance in the PPG, under the heading "How do the implementation aspects of the NPPF apply to plans where more than one round of Regulation 19 consultation has been undertaken?", this further highlights the issues with the Council's approach to the draft plan. Paragraph 86 states: Some local planning authorities may undertake more than one round of Regulation 19 consultation on a plan. Where this is the case, for the purposes of implementing Annex 1 of the Framework, a plan is normally to be taken as having reached the Regulation 19 stage at the date on which the first round of Regulation 19 consultation commenced. However, in some limited circumstances, a plan is to be taken as having reached Regulation 19 on the date that a subsequent round of consultation commenced. These limited circumstances could include instances such as when the content of an emerging plan has changed significantly from the one presented at the initial Regulation 19 stage. (underlining our emphasis) It is very clear that the plan has changed significantly between the first Regulation 19 consultation and this second consultation. This consultation clearly relates to a significantly different plan. There are, for example, a significant number of track changes in this second Regulation 19 document which highlight the stark differences between the two documents. The Council themselves acknowledge back in early 2025 that the first Regulation 19 consultation would not be the final version and further consultation on the policies relatingto the new community would be required. There are now a significant number of changes presented in the latest consultation document relating to the new community which further highlights the changes to the plan as a whole. We therefore maintain on the above basis that there is significant risk that the Local Plan may not be able to proceed under the transitional arrangements and that none of the exceptions contained within paragraph 234 of the Framework apply. In these circumstances, it is our view that the housing requirement must reflect paragraph 62 of the Framework and therefore should be increased to

reflect the Standard Method output for East Devon which is 1,188 dwellings per annum (dpa) as acknowledged in paragraph 3.11 of the draft Local Plan. This would be an additional 5,227 dwellings if assuming the standard method output would be 26,136 homes based on the same plan period, against the 20,909 homes proposed within draft Policy SP02. We also consider there to be no justification for adopting a stepped trajectory in the draft plan that effectively reduces the housing requirement for the five years (approx.) post-adoption and pushes the resultant backlog that this creates to the later years of the plan period. As it stands, the transitional arrangements may not apply to EDDC as not all of the Local Plan has been published for consultation. In accordance with the paragraph 36 of the Framework, the housing requirement and related elements of the Local Plan should therefore be updated to reflect the revised Standard Method. In our view, the housing requirement for the draft Local Plan should therefore be increased in order to reflect the updated Standard Method.

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

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: In order to represent the interests of The Sidbury Manor Estate in relation to their interests in the Land west of Two Bridges Road, Sidford (Sidm_06a), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Summerfield Homes

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: This Representation is made in response to the second Regulation 19 Publication Draft of the East Devon Local Plan Review 2020-2042. This representation is submitted by Savills on behalf of Summerfield Homes Ltd who have an interest in the Land adjacent to Markers Park, Payhembury (Payh_03a).

Representations were submitted to the last Regulation 19 consultation, supported by site specific information including an indicative layout plan to confirm that whilst we are fully supportive of the allocation of the site we considered amendments should be made to the allocation boundary to ensure the best possible scheme can be delivered in the future.

It is pleasing that changes have been made to the draft allocation to reflect the comments we made at the last consultation stage.

Our representations to this consultation reconfirm our position on the emerging allocation, but also address some concerns with key strategic aspects of the draft Local Plan, most notably the proposed housing requirement, which we consider remains an unsound basis upon which to proceed with the plan.

Our comments on this consultation and supporting evidence base are set out below and are made in accordance with paragraph 36 of the revised NPPF (e.g. that they are positively prepared, justified, effective and consistent with national policy), to assist in ensuring that the Local Plan is found sound when examined in the future. However, in its current form, we do not consider that the Local Plan is sound, and should not therefore progress to submission without amendment.

Strategic Policy SP02: Levels of Future Housing Development

It is noted that no changes are proposed to draft Strategic Policy SP02 from that published in the first Regulation 19 consultation draft.

Therefore, whilst we do not intentionally wish to repeat previous comments made, given the importance of what we consider to be significant issues with this draft policy which remain, we have outlined again our principal concerns below.

Firstly, in terms of the proposed plan period, this remains as 2020 – 2042. Ordinarily the plan period start date would be brought forward closer to the likely plan adoption date but we note the Council has sought to make reference to supporting evidence dating back to the 2020 start date. However, of greater concern is that the draft plan is unlikely now to be adopted until 2027 at the earliest and that will only be if the Council can, in our view, make changes to ensure the plan is found sound. Even if that is done, we consider that the plan period should be extended to ensure that a 15-year plan period is provided post adoption of the plan. The evidence base will also need to be updated to ensure that it is consistent with the plan period.

Secondly, given the absence of any changes to the proposed housing requirement for the plan period, we continue to have two principal concerns over the approach taken. These are:

- Whether the Local Plan can proceed under the transitional arrangements

- The proposed stepped trajectory

We address each of the two matters in turn below.

Whether the Local Plan can proceed under the transitional arrangements

Draft Policy SP02 remains unchanged and therefore continues to propose at least 20,909 dwellings will be delivered between 1 April 2020 and 31 March 2042, with delivery being split into two phases with 850 dwellings per annum in the first phase from 2020/21 to 2031/32 and 1,070 dwellings per annum in the second phase from 2032/33 to 2041/42.

We maintain that it was clear at the beginning of 2025, and continues to be the case given the lack of any additional evidence provided by the Council, that the Council commenced consultation on the Plan in early 2025 before the full Regulation 19 draft was ready. We continue to consider that the intention was to try and take advantage of the transitional arrangements contained in Annex 1 of the NPPF, and proceed with a housing requirement that falls below the Government's revised Standard Method output.

This intention was very clear when reading how the proposed housing requirement had been described in paragraph 3.11 of the first Regulation 19 draft in early 2025 and the text in the second Regulation 19 draft remains unchanged. The consultation text seeks to justify that the requirement has been set at a level which just, by less than one dwelling per annum, exceeds the 80% threshold in paragraph 234(a) of the NPPF.

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

However, more fundamentally, given the absence of any further justification provided by the Council to support this consultation, we maintain that the draft Local Plan

cannot proceed on the basis of the transitional arrangements. The relevant extract from Paragraph 234(a) of the Framework is copied below: “234. For the purpose of preparing local plans, the policies in this version of the Framework will apply from 12 March 2025 other than where one or more of the following apply:

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

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

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

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

This government intention is unchanged in the latest consultation launched in December 2025 on potential changes to the NPPF. Within that consultation, the published draft NPPF at Annex 1 (paragraph 8) very clearly re-states that “any other plans being prepared should be produced in accordance with the version of this Framework published in December 2024, unless any of the transitional arrangements in Annex 1 to that Framework apply (in which case those transitional arrangements continue to apply)”.

This suggests that the direction given in the current NPPF will remain unchanged.

Furthermore, when looking at the latest guidance in the PPG, under the heading "How do the implementation aspects of the NPPF apply to plans where more than one round of Regulation 19 consultation has been undertaken?", this further highlights the issues with the Council's approach to the draft plan. Paragraph 86 states:

Some local planning authorities may undertake more than one round of Regulation 19 consultation on a plan. Where this is the case, for the purposes of implementing Annex 1 of the Framework, a plan is normally to be taken as having reached the Regulation 19 stage at the date on which the first round of Regulation 19 consultation commenced.

However, in some limited circumstances, a plan is to be taken as having reached Regulation 19 on the date that a subsequent round of consultation commenced. These limited circumstances could include instances such as when the content of an emerging plan has changed significantly from the one presented at the initial Regulation 19 stage. (underlining our emphasis)

It is very clear that the plan has changed significantly between the first Regulation 19 consultation and this second consultation. This consultation clearly relates to a significantly different plan. There are, for example, a significant number of track changes in this second Regulation 19 document which highlight the stark differences between the two documents. The Council themselves acknowledge back in early 2025 that the first Regulation 19 consultation would not be the final version and further consultation on the policies relating to the new community would be required. There are now a significant number of changes presented in the latest consultation document relating to the new community which further highlights the changes to the plan as a whole.

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

Stepped Housing Trajectory

We continue to consider that there is no justification for adopting a stepped trajectory in the draft plan that effectively reduces the housing requirement for the five years

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

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

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

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

Having raised these concerns over the first Regulation 19 consultation draft, the Council does not appear to have made specific changes or reacted to this. Rather, it continues to appear that the authority is seeking to do the bare minimum to scrape through under the transitional arrangements, when there was an opportunity in 2025 to start the process of positively and proactively updating the policies and proposals of the Local Plan to reflect the local housing need as defined by the revised Standard Method.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: In these circumstances, it is our view that the housing requirement must reflect paragraph 62 of the Framework:

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

The Standard Method output for East Devon from the revised methodology of the PPG is 1,188 dwellings per annum (dpa) as acknowledged in paragraph 3.11 of the draft Local Plan. For the reasons set out above, it is this figure which the Plan must put in place in order to satisfy the 'Positively Prepared' test of soundness in paragraph 36(a) of the NPPF. As it stands, our view is the draft Local Plan is unsound and may require significant Main Modifications to allocate the additional housing required between the total output from the standard method and that proposed in draft Policy SP02. This would be an additional 5,227 dwellings if assuming the standard method output would be 26,136 homes based on the same plan period, against the 20,909 homes proposed within draft Policy SP02.

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

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

Full name: Dan Yeates

Organisation (where relevant): Savills

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

Proposal:

3. The Spatial Strategy

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

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

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Strategic Policy SP02: Levels of Future Housing Development It is noted that no changes are proposed to draft Strategic Policy SP02 from that published in the first Regulation 19 consultation draft. We therefore object to the Policy on the basis of whether the Local Plan can proceed under the transitional arrangements and the proposed stepped trajectory. In terms of whether the Local Plan can proceed under the transitional arrangements, it is noted that draft Policy SP02 remains unchanged and therefore continues to propose at least 20,909 dwellings will be delivered between 1 April 2020 and 31 March 2042, with delivery being split into two phases with 850 dwellings per annum in the first phase from 2020/21 to 2031/32 and 1,070 dwellings per annum in the second phase from 2032/33 to 2041/42. We maintain that the approach taken by the Council suggests an intention was to try and take advantage of the transitional arrangements contained in Annex 1 of the NPPF, and proceed with a housing requirement that falls below the Government's revised Standard Method output. This intention was very clear when reading how the proposed housing requirement had been described in paragraph 3.11 of the first Regulation 19 draft in early 2025 and the text in the second Regulation 19 draft remains unchanged. The consultation text seeks to justify that the requirement has been set at a level which just, by less than one dwelling per annum, exceeds the 80% threshold in paragraph 234(a) of the NPPF. This approach is not in accordance with the purpose of

the transitional arrangements. These provisions are intended to enable Local Plans to progress where an emerging local plan has advanced but not yet reached the Regulation 19 stage, not to set a minimum threshold for Local Plans for plans which are at Regulation 18 stage. This is unfortunately how the Regulation 19 plan reads. However, more fundamentally, when looking at the NPPF, in order to be considered to have reached Regulation 19, the whole of the Plan, i.e. each component part of a Regulation 19 local plan, must have been made available. This is a very deliberate piece of drafting by Government intended to preclude circumstances where a local planning authority could progress under the transitional arrangement contrary to their spirit and purpose. In addition, the PPG states that "in some limited circumstances, a plan is to be taken as having reached Regulation 19 on the date that a subsequent round of consultation commenced. These limited circumstances could include instances such as when the content of an emerging plan has changed significantly from the one presented at the initial Regulation 19 stage". It is very clear that the plan has changed significantly between the first Regulation 19 consultation and this second consultation. This consultation clearly relates to a significantly different plan. There are, for example, a significant number of track changes in this second Regulation 19 document which highlight the stark differences between the two documents. The Council themselves acknowledge back in early 2025 that the first Regulation 19 consultation would not be the final version and further consultation on the policies relating to the new community would be required. There are now a significant number of changes presented in the latest consultation document relating to the new community which further highlights the changes to the plan as a whole. On this basis we are concerned that the second Regulation 19 consultation draft has not sought to make changes or provide further justification. We therefore maintain on that basis that there is significant risk that the Local Plan may not be able to proceed under the transitional arrangements and that none of the exceptions contained within paragraph 234 of the Framework apply. In these circumstances, it is our view that the housing requirement must reflect paragraph 62 of the Framework and therefore should be increased to reflect the Standard Method output for East Devon which is 1,188 dwellings per annum (dpa) as acknowledged in paragraph 3.11 of the draft Local Plan. This would be an additional 5,227 dwellings if assuming the standard method output would be 26,136 homes based on the same plan period, against the 20,909 homes proposed within draft Policy SP02.

We also consider there to be no justification for adopting a stepped trajectory in the draft plan that effectively reduces the housing requirement for the five years (approx.) post-adoption and pushes the resultant backlog that this creates to the later years of the plan period.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: As it stands, the transitional arrangements may not apply to EDDC as not all of the Local Plan has been published for consultation. In accordance with the paragraph 36 of the Framework, the housing requirement and related elements of the Local Plan should therefore be updated to reflect the revised Standard Method.

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

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

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

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: In order to represent the interests of The Exeter Diocesan Board of Finance Ltd in relation to their interests in the Land south of the Land North side of Grove Road, Whimple (Whim_13) (omission site), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

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

Proposal:

3. The Spatial Strategy

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

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

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

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

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.: Savills, on behalf of The Exeter Diocesan Board of Finance Ltd

Strategic Policy SP02: Levels of Future Housing Development It is noted that no changes are proposed to draft Strategic Policy SP02 from that published in the first Regulation 19 consultation draft. We therefore object to the Policy on the basis of whether the Local Plan can proceed under the transitional arrangements and the proposed stepped trajectory. In terms of whether the Local Plan can proceed under the transitional arrangements, it is noted that draft Policy SP02 remains unchanged and therefore continues to propose at least 20,909 dwellings will be delivered between 1 April 2020 and 31 March 2042, with delivery being split into two phases with 850 dwellings per annum in the first phase from 2020/21 to 2031/32 and 1,070 dwellings per annum in the second phase from 2032/33 to 2041/42.

We maintain that the approach taken by the Council suggests an intention was to try and take advantage of the transitional arrangements contained in Annex 1 of the NPPF, and proceed with a housing requirement that falls below the Government's revised Standard Method output. This intention was very clear when reading how the proposed housing requirement had been described in paragraph 3.11 of the first Regulation 19 draft in early 2025 and the text in the second Regulation 19 draft remains unchanged. The consultation text seeks to justify that the requirement has been set at a level which

just, by less than one dwelling per annum, exceeds the 80% threshold in paragraph 234(a) of the NPPF.

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

However, more fundamentally, when looking at the NPPF, in order to be considered to have reached Regulation 19, the whole of the Plan, i.e. each component part of a Regulation 19 local plan, must have been made available. This is a very deliberate piece of drafting by Government intended to preclude circumstances where a local planning authority could progress under the transitional arrangement contrary to their spirit and purpose. In addition, the PPG states that "in some limited circumstances, a plan is to be taken as having reached Regulation 19 on the date that a subsequent round of consultation commenced. These limited circumstances could include instances such as when the content of an emerging plan has changed significantly from the one presented at the initial Regulation 19 stage". It is very clear that the plan has changed significantly between the first Regulation 19 consultation and this second consultation. This consultation clearly relates to a significantly different plan. There are, for example, a significant number of track changes in this second Regulation 19 document which highlight the stark differences between the two documents. The Council themselves acknowledge back in early 2025 that the first Regulation 19 consultation would not be the final version and further consultation on the policies relating to the new community would be required. There are now a significant number of changes presented in the latest consultation document relating to the new community which further highlights the changes to the plan as a whole.

On this basis we are concerned that the second Regulation 19 consultation draft has not sought to make changes or provide further justification. We therefore maintain on that basis that there is significant risk that the Local Plan may not be able to proceed under the transitional arrangements and that none of the exceptions contained within paragraph 234 of the Framework apply. In these circumstances, it is our view that the housing requirement must reflect paragraph 62 of the Framework and therefore should be increased to reflect the Standard Method output for East Devon which is 1,188 dwellings per annum (dpa) as acknowledged in paragraph 3.11 of the draft Local Plan. This would be an additional 5,227 dwellings if assuming the standard method output

would be 26,136 homes based on the same plan period, against the 20,909 homes proposed within draft Policy SP02.

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We also consider there to be no justification for adopting a stepped trajectory in the draft plan that effectively reduces the housing requirement for the five years (approx.) post-adoption and pushes the resultant backlog that this creates to the later years of the plan period.

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

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

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

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

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

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

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: In order to represent the interests of The Exeter Diocesan Board of Finance Ltd in relation to their interests in the Land south of The Vicarage, Broadhembury (Brhe_07) (omission site), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

Proposal:

3. The Spatial Strategy

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

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

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: See enclosed representations It is noted that no changes are proposed to draft Strategic Policy SP02 from that published in the first Regulation 19 consultation draft. Therefore, whilst we do not intentionally wish to repeat previous comments made, given the importance of what we consider to be significant issues with this draft policy which remain, we have outlined again our principal concerns below. Firstly, in terms of the proposed plan period, this remains as 2020 – 2042. Ordinarily the plan period start date would be brought forward closer to the likely plan adoption date but we note the Council has sought to make reference to supporting evidence dating back to the 2020 start date. However, of greater concern is that the draft plan is unlikely now to be adopted until 2027 at the earliest and that will only be if the Council can, in our view, make changes to ensure the plan is found sound. Even if that is done, we consider that the plan period should be extended to ensure that a 15-year plan period is provided post adoption of the plan. The evidence base will also need to be updated to ensure that it is consistent with the plan period. Secondly, given the absence of any changes to the proposed housing requirement for the plan period, we continue to have two principal concerns over the approach taken. These are:

• Whether the Local Plan can proceed under the transitional arrangements

• The proposed stepped trajectory We address each of the two matters in turn below. Whether the Local Plan can proceed under the transitional arrangements Draft Policy SP02 remains unchanged and therefore continues to propose at least 20,909 dwellings will be delivered between 1 April 2020 and 31 March 2042, with delivery being split into two phases with 850 dwellings per annum in the first phase from 2020/21 to 2031/32 and 1,070 dwellings per annum in the second phase from 2032/33 to 2041/42. We maintain that it was clear at the beginning of 2025 and continues to be the case given the lack of any additional evidence provided by the Council that the Council commenced consultation on the Plan in early 2025 before the full Regulation 19 draft was ready. We continue to consider that the intention was to try and take advantage of the transitional arrangements contained in Annex 1 of the NPPF, and proceed with a housing requirement that falls below the Government's revised Standard Method output. This intention was very clear when reading how the proposed housing requirement had been described in paragraph 3.11 of the first Regulation 19 draft in early 2025 and the text in the second Regulation 19 draft remains unchanged. The consultation text seeks to justify that the requirement has been set at a level which just, by less than one dwelling per annum, exceeds the 80% threshold in paragraph 234(a) of the NPPF. This approach is not in accordance with the purpose of the transitional arrangements. These provisions are intended to enable Local Plans to progress where an emerging local plan has advanced but not yet reached the Regulation 19 stage, not to set a minimum threshold for Local Plans for plans which are at Regulation 18 stage. This is unfortunately how the Regulation 19 plan reads. However, more fundamentally, given the absence of sufficient justification provided by the Council within the latest Housing Delivery Paper (November 2025), we maintain that the draft Local Plan cannot proceed on the basis of the transitional arrangements. The relevant extract from Paragraph 234(a) of the Framework is copied below: "234. For the purpose of preparing local plans, the policies in this version of the Framework will apply from 12 March 2025 other than where one or more of the following apply: a. the plan has reached Regulation 19 82 (pre-submission stage) on or before 12 March 2025, and its draft housing requirement meets at least 80% of local housing need 83." This is supported by two related footnotes. The first of these – Footnote 82 – is as follows: Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. In this context "reached Regulation 19" refers to when Regulation 19 has been complied with (i.e. when the planning authority has made a copy of each of the proposed submission documents and a statement of the representations procedure available, and the statements required in Regulation 19(b) have been sent to consultation bodies)." (emphasis added) We highlight again reference to "each of the proposed submission documents" which is very important. In order to be considered to have reached Regulation 19, the whole of the Plan, i.e. each component part of a Regulation 19 local plan, must have been made available. This is a very deliberate piece of drafting by Government intended to preclude circumstances where a local planning authority

could progress under the transitional arrangement contrary to their spirit and purpose. This government intention is unchanged in the latest consultation launched in December 2025 on potential changes to the NPPF. Within that consultation, the published draft NPPF at Annex 1 (paragraph 8) very clearly re-states that "any other plans being prepared should be produced in accordance with the version of this Framework published in December 2024, unless any of the transitional arrangements in Annex 1 to that Framework apply (in which case those transitional arrangements continue to apply)". This suggests that the direction given in the current NPPF will remain unchanged. Furthermore, when looking at the latest guidance in the PPG, under the heading "How do the implementation aspects of the NPPF apply to plans where more than one round of Regulation 19 consultation has been undertaken?", this further highlights the issues with the Council's approach to the draft plan. Paragraph 86 states: Some local planning authorities may undertake more than one round of Regulation 19 consultation on a plan. Where this is the case, for the purposes of implementing Annex 1 of the Framework, a plan is normally to be taken as having reached the Regulation 19 stage at the date on which the first round of Regulation 19 consultation commenced. However, in some limited circumstances, a plan is to be taken as having reached Regulation 19 on the date that a subsequent round of consultation commenced. These limited circumstances could include instances such as when the content of an emerging plan has changed significantly from the one presented at the initial Regulation 19 stage. (underlining our emphasis) It is very clear that the plan has changed significantly between the first Regulation 19 consultation and this second consultation. This consultation clearly relates to a significantly different plan. There are, for example, a significant number of track changes in this second Regulation 19 document which highlight the stark differences between the two documents. The Council themselves acknowledge back in early 2025 that the first Regulation 19 consultation would not be the final version and further consultation on the policies relating to the new community would be required. There are now a significant number of changes presented in the latest consultation document relating to the new community which further highlights the changes to the plan as a whole. On this basis we are concerned that the second Regulation 19 consultation draft has not sought to make changes or provide further justification. We therefore maintain on that basis that there is significant risk that the Local Plan may not be able to proceed under the transitional arrangements and that none of the exceptions contained within paragraph 234 of the Framework apply. In these circumstances, it is our view that the housing requirement must reflect paragraph 62 of the Framework: "To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for". The Standard Method output for East Devon from the revised methodology of the PPG is

1,188 dwellings per annum (dpa) as acknowledged in paragraph 3.11 of the draft Local Plan. For the reasons set out above, it is this figure which the Plan must put in place in order to satisfy the 'Positively Prepared' test of soundness in paragraph 36(a) of the NPPF. As it stands, our view is the draft Local Plan is unsound and may require significant Main Modifications to allocate the additional housing required between the total output from the standard method and that proposed in draft Policy SP02. This would be an additional 5,227 dwellings if assuming the standard method output would be 26,136 homes based on the same plan period, against the 20,909 homes proposed within draft Policy SP02. Stepped Housing Trajectory We continue to consider that there is no justification for adopting a stepped trajectory in the draft plan that effectively reduces the housing requirement for the five years (approx.) post-adoption and pushes the resultant backlog that this creates to the later years of the plan period. The Planning Practice Guidance helpfully attends directly to the question of 'When is a stepped housing requirement appropriate for plan-making?'. In so doing it provide the following guidance: "A stepped housing requirement may be appropriate where there is to be a significant change in the level of housing requirement between emerging and previous policies and / or where strategic sites will have a phased delivery or are likely to be delivered later in the plan period. Strategic policy-makers will need to identify the stepped requirement in strategic housing policy, and to set out evidence to support this approach, and not seek to unnecessarily delay meeting identified development needs. Stepped requirements will need to ensure that planned housing requirements are met fully within the plan period. In reviewing and revising policies, strategic policy-makers should ensure there is not continued delay in meeting identified development needs." The guidance also advises that evidence must be provided to support a stepped approach if one is proposed. We do not consider that the latest Housing Topic Paper (November 2025) within the supporting evidence base includes sufficient justification for this approach. Having raised these concerns over the first Regulation 19 consultation draft, the Council does not appear to have made any changes or reacted to this. Rather, it continues to appear that the authority is seeking to do the bare minimum to scrape through under the transitional arrangements, when there was an opportunity in 2025 to start the process of positively and proactively updating the policies and proposals of the Local Plan to reflect the local housing need as defined by the revised Standard Method. As it stands, the transitional arrangements may not apply to EDDC as not all of the Local Plan has been published for consultation. In accordance with the paragraph 36 of the Framework, the housing requirement and related elements of the Local Plan should therefore be updated to reflect the revised Standard Method. In our view, the housing requirement for the draft Local Plan should therefore be increased in order to reflect the updated Standard Method.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified

above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: See enclosed representations

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

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

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: In order to represent the interests of Sidbury LVA LLP in relation to their interests in the Land south of Furzehill, Sidbury (SIDM_34), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Developments Ltd

Proposal:

3. The Spatial Strategy

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

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

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

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

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.: Strategic Policy SP02: Levels of Future Housing Development It is noted that no changes are proposed to draft Strategic Policy SP02 from that published in the first Regulation 19 consultation draft. Therefore, whilst we do not intentionally wish to repeat previous comments made, given the importance of what we consider to be significant issues with this draft policy which remain, we have outlined again our principal concerns below. Firstly, in terms of the proposed plan period, this remains as 2020 – 2042. Ordinarily the plan period start date would be brought forward closer to the likely plan adoption date but we note the Council has sought to make reference to supporting evidence dating back to the 2020 start date. However, of greater concern is that the draft plan is unlikely now to be adopted until 2027 at the earliest and that will only be if the Council can, in our view, make changes to ensure the plan is found sound. Even if that is done, we consider that the plan period should be extended to ensure that a 15-year plan period is provided post adoption of the plan. The evidence base will also need to be updated to ensure that it is consistent with the plan period. January 2026 3 Secondly, given the absence of any changes to the proposed housing requirement for the plan period, we continue to have two principal concerns over the approach taken. These are:

• Whether the Local Plan can proceed under the transitional arrangements

• The proposed stepped trajectory We address each of the two matters in turn below. Whether the Local Plan can proceed under the transitional arrangements Draft Policy SP02 remains unchanged and therefore continues to propose at least 20,909 dwellings will be delivered between 1 April 2020 and 31 March 2042, with delivery being split into two phases with 850 dwellings per annum in the first phase from 2020/21 to 2031/32

and 1,070 dwellings per annum in the second phase from 2032/33 to 2041/42. We maintain that it was clear at the beginning of 2025 and continues to be the case given the lack of any additional evidence provided by the Council that the Council commenced consultation on the Plan in early 2025 before the full Regulation 19 draft was ready. We continue to consider that the intention was to try and take advantage of the transitional arrangements contained in Annex 1 of the NPPF, and proceed with a housing requirement that falls below the Government's revised Standard Method output. This intention was very clear when reading how the proposed housing requirement had been described in paragraph 3.11 of the first Regulation 19 draft in early 2025 and the text in the second Regulation 19 draft remains unchanged. The consultation text seeks to justify that the requirement has been set at a level which just, by less than one dwelling per annum, exceeds the 80% threshold in paragraph 234(a) of the NPPF. This approach is not in accordance with the purpose of the transitional arrangements. These provisions are intended to enable Local Plans to progress where an emerging local plan has advanced but not yet reached the Regulation 19 stage, not to set a minimum threshold for Local Plans for plans which are at Regulation 18 stage. This is unfortunately how the Regulation 19 plan reads. However, more fundamentally, given the absence of any further justification provided by the Council to support this consultation, we maintain that the draft Local Plan cannot proceed on the basis of the transitional arrangements. The relevant extract from Paragraph 234(a) of the Framework is copied below: "234. For the purpose of preparing local plans, the policies in this version of the Framework will apply from 12 March 2025 other than where one or more of the following apply: a. the plan has reached Regulation 19 82 (pre-submission stage) on or before 12 March 2025, and its draft housing requirement meets at least 80% of local housing need 83." This is supported by two related footnotes. The first of these – Footnote 82 – is as follows: "Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. In this context "reached Regulation 19" refers to when Regulation 19 has been complied with (i.e. when the January 2026 4 planning authority has made a copy of each of the proposed submission documents and a statement of the representations procedure available, and the statements required in Regulation 19(b) have been sent to consultation bodies)." (emphasis added) We highlight again reference to "each of the proposed submission documents" which is very important. In order to be considered to have reached Regulation 19, the whole of the Plan, i.e. each component part of a Regulation 19 local plan, must have been made available. This is a very deliberate piece of drafting by Government intended to preclude circumstances where a local planning authority could progress under the transitional arrangement contrary to their spirit and purpose. This government intention is unchanged in the latest consultation launched in December 2025 on potential changes to the NPPF. Within that consultation, the published draft NPPF at Annex 1 (paragraph 8) very clearly re-states that "any other plans being prepared should be produced in accordance with the version of this Framework published in December 2024, unless

any of the transitional arrangements in Annex 1 to that Framework apply (in which case those transitional arrangements continue to apply)". This suggests that the direction given in the current NPPF will remain unchanged. Furthermore, when looking at the latest guidance in the PPG, under the heading "How do the implementation aspects of the NPPF apply to plans where more than one round of Regulation 19 consultation has been undertaken?", this further highlights the issues with the Council's approach to the draft plan. Paragraph 86 states: Some local planning authorities may undertake more than one round of Regulation 19 consultation on a plan. Where this is the case, for the purposes of implementing Annex 1 of the Framework, a plan is normally to be taken as having reached the Regulation 19 stage at the date on which the first round of Regulation 19 consultation commenced. However, in some limited circumstances, a plan is to be taken as having reached Regulation 19 on the date that a subsequent round of consultation commenced. These limited circumstances could include instances such as when the content of an emerging plan has changed significantly from the one presented at the initial Regulation 19 stage. (underlining our emphasis) It is very clear that the plan has changed significantly between the first Regulation 19 consultation and this second consultation. This consultation clearly relates to a significantly different plan. There are, for example, a significant number of track changes in this second Regulation 19 document which highlight the stark differences between the two documents. The Council themselves acknowledge back in early 2025 that the first Regulation 19 consultation would not be the final version and further consultation on the policies relating to the new community would be required. There are now a significant number of changes presented in the latest consultation document relating to the new community which further highlights the changes to the plan as a whole. On this basis we are concerned that the second Regulation 19 consultation draft has not sought to make changes or provide further justification. We therefore maintain on that basis that there is significant risk that the Local Plan may not be able to proceed under the transitional arrangements and that none of the exceptions contained within paragraph 234 of the Framework apply. January 2026 5 In these circumstances, it is our view that the housing requirement must reflect paragraph 62 of the Framework: "To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for". The Standard Method output for East Devon from the revised methodology of the PPG is 1,188 dwellings per annum (dpa) as acknowledged in paragraph 3.11 of the draft Local Plan. For the reasons set out above, it is this figure which the Plan must put in place in order to satisfy the 'Positively Prepared' test of soundness in paragraph 36(a) of the NPPF. As it stands, our view is the draft Local Plan is unsound and may require significant Main Modifications to allocate the additional housing required between the total output from the standard method and

that proposed in draft Policy SP02. This would be an additional 5,227 dwellings if assuming the standard method output would be 26,136 homes based on the same plan period, against the 20,909 homes proposed within draft Policy SP02. Stepped Housing Trajectory We continue to consider that there is no justification for adopting a stepped trajectory in the draft plan that effectively reduces the housing requirement for the five years (approx.) post-adoption and pushes the resultant backlog that this creates to the later years of the plan period. The Planning Practice Guidance helpfully attends directly to the question of 'When is a stepped housing requirement appropriate for plan-making?'. In so doing it provide the following guidance: "A stepped housing requirement may be appropriate where there is to be a significant change in the level of housing requirement between emerging and previous policies and / or where strategic sites will have a phased delivery or are likely to be delivered later in the plan period. Strategic policy-makers will need to identify the stepped requirement in strategic housing policy, and to set out evidence to support this approach, and not seek to unnecessarily delay meeting identified development needs. Stepped requirements will need to ensure that planned housing requirements are met fully within the plan period. In reviewing and revising policies, strategic policy-makers should ensure there is not continued delay in meeting identified development needs." The guidance also advises that evidence must be provided to support a stepped approach if one is proposed. There is no such evidence in the draft plan or the evidence base. Having raised these concerns over the first Regulation 19 consultation draft, the Council does not appear to have made any changes or reacted to this. Rather, it continues to appear that the authority is seeking to do the bare minimum to scrape through under the transitional arrangements, when there was an opportunity in 2025 to start the process of positively and proactively updating the policies and proposals of the Local Plan to reflect the local housing need as defined by the revised Standard Method. As it stands, the transitional arrangements may not apply to EDDC as not all of the Local Plan has been published for consultation. In accordance with the paragraph 36 of the Framework, the housing requirement and related elements of the Local Plan should therefore be updated to reflect the revised Standard Method. January 2026 6 In our view, the housing requirement for the draft Local Plan should therefore be increased in order to reflect the updated Standard Method.

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: the housing requirement for the draft Local Plan should therefore be increased in order to reflect the updated Standard Method.

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Strategic Policy SP02: Levels of Future Housing Development It is noted that no changes are proposed to draft Strategic Policy SP02 from that published in the first Regulation 19 consultation draft. Therefore, whilst we do not intentionally wish to repeat previous comments made, given the importance of what we consider to be significant issues with this draft policy which remain, we have outlined again our principal concerns below. Firstly, in terms of the proposed plan period, this remains as 2020 – 2042. Ordinarily the plan period start date would be brought forward closer to the likely plan adoption date but we note the Council has sought to make reference to supporting evidence dating back to the 2020 start date. However, of greater concern is that the draft plan is unlikely now to be adopted until 2027 at the earliest and that will only be if the Council can, in our view, make changes to ensure the plan is found sound. Even if that is done, we consider that the plan period should be extended to ensure that a 15-year plan period is provided post adoption of the plan. The evidence base will also need to be updated to ensure that it is consistent with the plan period. January 2026 3 Secondly, given the absence of any changes to the proposed housing requirement for the plan period, we continue to have two principal concerns over the approach taken. These are:

• Whether the Local Plan can proceed under the transitional arrangements

• The proposed stepped trajectory We address each of the two matters in turn below. Whether the Local Plan can proceed under the transitional arrangements Draft Policy SP02 remains unchanged and therefore continues to propose at least 20,909 dwellings will be delivered between 1 April 2020 and 31 March 2042, with delivery being split into two phases with 850 dwellings per annum in the first phase from 2020/21 to 2031/32 and 1,070 dwellings per annum in the second phase from 2032/33 to 2041/42. We maintain that it was clear at the beginning of 2025 and continues to be the case given the lack of any additional evidence provided by the Council that the Council commenced consultation on the Plan in early 2025 before the full Regulation 19 draft was ready. We continue to consider that the intention was to try and take advantage of the transitional arrangements contained in Annex 1 of the NPPF, and proceed with a housing requirement that falls below the Government's revised Standard Method output. This intention was very clear when reading how the proposed housing requirement had been described in paragraph 3.11 of the first Regulation 19 draft in early 2025 and the text in the second Regulation 19 draft remains unchanged. The consultation text seeks to justify that the requirement has been set at a level which just, by less than one dwelling per annum, exceeds the 80% threshold in paragraph 234(a) of the NPPF. This approach is not in accordance with the purpose of the transitional arrangements. These provisions are intended to enable Local Plans to progress where an emerging local plan has advanced but not yet reached the Regulation 19 stage, not to set a minimum threshold for Local Plans for plans which are at Regulation 18 stage.

This is unfortunately how the Regulation 19 plan reads. However, more fundamentally, given the absence of any further justification provided by the Council to support this consultation, we maintain that the draft Local Plan cannot proceed on the basis of the transitional arrangements. The relevant extract from Paragraph 234(a) of the Framework is copied below: "234. For the purpose of preparing local plans, the policies in this version of the Framework will apply from 12 March 2025 other than where one or more of the following apply: a. the plan has reached Regulation 19 82 (pre-submission stage) on or before 12 March 2025, and its draft housing requirement meets at least 80% of local housing need 83." This is supported by two related footnotes. The first of these – Footnote 82 – is as follows: "Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. In this context "reached Regulation 19" refers to when Regulation 19 has been complied with (i.e. when the January 2026 4 planning authority has made a copy of each of the proposed submission documents and a statement of the representations procedure available, and the statements required in Regulation 19(b) have been sent to consultation bodies)." (emphasis added) We highlight again reference to "each of the proposed submission documents" which is very important. In order to be considered to have reached Regulation 19, the whole of the Plan, i.e. each component part of a Regulation 19 local plan, must have been made available. This is a very deliberate piece of drafting by Government intended to preclude circumstances where a local planning authority could progress under the transitional arrangement contrary to their spirit and purpose. This government intention is unchanged in the latest consultation launched in December 2025 on potential changes to the NPPF. Within that consultation, the published draft NPPF at Annex 1 (paragraph 8) very clearly re-states that "any other plans being prepared should be produced in accordance with the version of this Framework published in December 2024, unless any of the transitional arrangements in Annex 1 to that Framework apply (in which case those transitional arrangements continue to apply)". This suggests that the direction given in the current NPPF will remain unchanged. Furthermore, when looking at the latest guidance in the PPG, under the heading "How do the implementation aspects of the NPPF apply to plans where more than one round of Regulation 19 consultation has been undertaken?", this further highlights the issues with the Council's approach to the draft plan. Paragraph 86 states: Some local planning authorities may undertake more than one round of Regulation 19 consultation on a plan. Where this is the case, for the purposes of implementing Annex 1 of the Framework, a plan is normally to be taken as having reached the Regulation 19 stage at the date on which the first round of Regulation 19 consultation commenced. However, in some limited circumstances, a plan is to be taken as having reached Regulation 19 on the date that a subsequent round of consultation commenced. These limited circumstances could include instances such as when the content of an emerging plan has changed significantly from the one presented at the initial Regulation 19 stage. (underlining our emphasis) It is very clear that the plan has changed significantly between the first Regulation 19

consultation and this second consultation. This consultation clearly relates to a significantly different plan. There are, for example, a significant number of track changes in this second Regulation 19 document which highlight the stark differences between the two documents. The Council themselves acknowledge back in early 2025 that the first Regulation 19 consultation would not be the final version and further consultation on the policies relating to the new community would be required. There are now a significant number of changes presented in the latest consultation document relating to the new community which further highlights the changes to the plan as a whole. On this basis we are concerned that the second Regulation 19 consultation draft has not sought to make changes or provide further justification. We therefore maintain on that basis that there is significant risk that the Local Plan may not be able to proceed under the transitional arrangements and that none of the exceptions contained within paragraph 234 of the Framework apply. January 2026 5 In these circumstances, it is our view that the housing requirement must reflect paragraph 62 of the Framework: "To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for". The Standard Method output for East Devon from the revised methodology of the PPG is 1,188 dwellings per annum (dpa) as acknowledged in paragraph 3.11 of the draft Local Plan. For the reasons set out above, it is this figure which the Plan must put in place in order to satisfy the 'Positively Prepared' test of soundness in paragraph 36(a) of the NPPF. As it stands, our view is the draft Local Plan is unsound and may require significant Main Modifications to allocate the additional housing required between the total output from the standard method and that proposed in draft Policy SP02. This would be an additional 5,227 dwellings if assuming the standard method output would be 26,136 homes based on the same plan period, against the 20,909 homes proposed within draft Policy SP02. Stepped Housing Trajectory We continue to consider that there is no justification for adopting a stepped trajectory in the draft plan that effectively reduces the housing requirement for the five years (approx.) post-adoption and pushes the resultant backlog that this creates to the later years of the plan period. The Planning Practice Guidance helpfully attends directly to the question of 'When is a stepped housing requirement appropriate for plan-making?'. In so doing it provide the following guidance: "A stepped housing requirement may be appropriate where there is to be a significant change in the level of housing requirement between emerging and previous policies and / or where strategic sites will have a phased delivery or are likely to be delivered later in the plan period. Strategic policy-makers will need to identify the stepped requirement in strategic housing policy, and to set out evidence to support this approach, and not seek to unnecessarily delay meeting identified development needs. Stepped requirements will need to ensure that planned housing requirements are met fully within the plan period. In reviewing and

revising policies, strategic policy-makers should ensure there is not continued delay in meeting identified development needs." The guidance also advises that evidence must be provided to support a stepped approach if one is proposed. There is no such evidence in the draft plan or the evidence base. Having raised these concerns over the first Regulation 19 consultation draft, the Council does not appear to have made any changes or reacted to this. Rather, it continues to appear that the authority is seeking to do the bare minimum to scrape through under the transitional arrangements, when there was an opportunity in 2025 to start the process of positively and proactively updating the policies and proposals of the Local Plan to reflect the local housing need as defined by the revised Standard Method. As it stands, the transitional arrangements may not apply to EDDC as not all of the Local Plan has been published for consultation. In accordance with the paragraph 36 of the Framework, the housing requirement and related elements of the Local Plan should therefore be updated to reflect the revised Standard Method. January 2026 6 In our view, the housing requirement for the draft Local Plan should therefore be increased in order to reflect the updated Standard Method.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: the housing requirement for the draft Local Plan should therefore be increased in order to reflect the updated Standard Method.

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

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: In order to represent the interests of 3West Group in relation to their interests in the Land north and east of Exton Farm (Wood_28), and other draft policies in the plan.

Full name: Cara Chambers

Organisation (where relevant): Stantec

Other party name (if relevant): KCS Development

Proposal:

3. The Spatial Strategy

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Policy SP02 sets a housing provision for at least 20,909 dwellings (net) by 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. This policy approach is said to consider the recently revised Standard Method figure and transitional arrangements in the NPPF.

4.1.2 The policy supporting text recognises the challenges of delivering against the significant housing need and particularly where a significant portion of the plan is reliant on major sites and a new settlement (see policy WS01 regarding the new settlement). There are inherent complexities in delivering major development sites, particularly the proposed new community, and therefore the plan proposes a stepped trajectory.

4.1.3 Projected delivery from all sources has outlined that there will be a delivery of 22,943 homes, of which 4,204 have been built. This means a net delivery of 18,739 dwellings. It is also worked out, discounting those already built, that there is a net need of 16,705 dwellings (subtracting from the requirement of 20,909 dwellings) across the 22 year plan period to be delivered through windfalls and allocations. This gives a surplus of 2,034 dwellings to act as a headroom surplus of 12.18%, which is just above the council's stated aspiration for a minimum 10% headroom within the plan

4.1.4 The report also sets out the rolling five year housing supply calculations, includin20% buffer in line with the NPPF. On this basis, the Council will have a 6.64 year supply and therefore at least a five year supply in the first five years of the plan. However, as demonstrated by the trajectory at Draft Local Plan Appendix 1, delivery in the later years is marginal and some years fall short of the requirement, including years at the end of the plan. The trajectory in the later years of the plan has further reduced

compared with the first Regulation 19 consultation trajectory. Figure 4.1 Fundamentally, East Devon must deliver its housing requirement on the allocated sites included within the plan to meet its requirements. Even though there is a 'headroom' of 12.18%, this is across the 22 year plan period and only provides a 92.5 dwelling buffer per year. Further, of the 2,034 dwelling buffer, 1,837 (102 dwellings in 26/27, 111 dwellings in 27/28 and then 116 dwellings per annum for 14 years) are not allocated and would need to come forward as windfall development.

4.1.6 This approach is unsound as if a headroom is to be provided all additional homes should be allocated to ensure delivery. However, at present, there is no evidence the headroom will fully be delivered. Therefore, whilst the principle of a headroom is welcomed, the plan should identify sufficient sites to fully deliver this headroom. The council should re-assess the sites submitted in the call for sites so these additional dwellings can be allocated. Failure to do so would mean the housing forecast is not 'sufficiently flexible'. Site (GH/ED/26), or part of it, for example, is a suitable location for a proportion of 'headroom' dwellings. This site will be discussed in more detail in section 6.

4.1.7 If dwellings are completed early on in the plan period, East Devon could struggle to meet its higher target later in the plan period. In fact, at the moment, in the trajectory, the requirement is being significantly under-met from 2039 onwards, with delivery from 2033 onwards being slightly marginal and much more reliant on windfall sites coming forward.

4.1.8 The Council accepts there is currently only a 3.5 year housing land supply and so it is imperative that sites are allocated and brought forward in the Local Plan. The housing delivery technical report sets out the housing trajectory for the plan and the sources of housing supply. Allocations make up for 40.9% (9,373 dwellings) of the housing supply to be delivered as set out in the Housing Delivery Technical Report (November 2025), with the planned new settlement at Marlcombe being a significant contributor to supply from allocations over the plan period Larger sites and new settlements are inherently challenging to deliver. Recent research shows how large schemes have elongated delivery timescales such that on sites of 2,000 dwellings or more it can take nearly 8 years from the validation of the first planning application to delivery of the first dwelling on site for schemes of 2,000 or more dwellings. However, the emerging plan assumes earlier delivery, which places a significant risk on overall delivery of housing across the plan period.

4.1.10 Therefore, whilst the policy intentions are noted there is an inherent soundness risk with the proposed stepped trajectory related to the acute housing land supply issues in East Devon and the risk that larger sites within the trajectory will be delayed.

4.1.11 There are concerns with deliverability in the timescales given that the planning for the new settlement is in its early stages. Given the stepped approach to housing delivery, there is a greater emphasis on housing delivery between 2031 and 2042 and so if delivery stalls due to delivery of a large scale scheme, East Devon could fall behind the target by a number of dwellings.

4.1.12 As such, there is an accepted and very acute short-term housing land supply challenge (with a current supply position of 3.5 years), a further shorter term supply challenge in the early years of the plan (hence the stepped trajectory) and a further longer term supply challenge should larger sites and the new settlement not progress as expected. Therefore, the logical solution is for the council to identify smaller deliverable sites in addition to the current draft allocations to provide greater flexibility. A revised National Planning Policy Framework ('NPPF') came into effect in December 2024 alongside a revised Standard Method for calculation housing needs. The revision strengthened the presumption in favour of sustainable development and emphasises the importance of housing delivery. Annex 1 of the NPPF deals with transitional arrangements for existing draft local plans, meaning the previous NPPF remains relevant for this local plan.

3.1.2 NPPF Annex 1 paragraph 234(a) sets the transitional arrangements for existing draft Local Plans which have reached at least Regulation 19 stage consultation before 12th March 2025 and are submitted for Examination by 12th June 2026 or 31st December 2026, and the draft plan meets at least 80% of local housing need . Where Annex 1 is met, the previous NPPF (December 2023) and associated housing requirements will be used for the purposes of assessing the plan. This transitional arrangement seemingly applies to the East Devon Local Plan as the Council consulted on the first Regulation 19 document before the deadline, and the representations are made on this basis However, should the Inspector find the transitional arrangements do not apply the December 2024 version of the NPPF and associated housing requirements apply.

3.1.3 As a result of the updated Standard Method the annual housing requirement for East Devon has increased from 893 to 1,146 dwellings, which has implications for the immediate five year housing land supply as well as the longer term position set through the emerging local plan. If the NPPF Annex 1 transitional arrangements did not apply Preparation of Local Plans

3.2.1 The National Planning Policy Framework at Paragraph 34 states that policies in local plans should be reviewed to assess whether they need updating at least once every five years. Paragraph 36 outlines that Local Plans must be prepared in accordance with legal and procedural requirements. They are also examined to assess whether they are sound. Plans are 'sound' if they are: ? Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is

informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development; ? Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence; ? Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and ? Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

3.2.2 NPPF paragraph 62 is clear that local plans should meet local housing needs, stating: To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.

3.2.3 In identifying land for new homes, the NPPF is clear that: Strategic policy-making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of: a) specific, deliverable sites for five years following the intended date of adoption; and b) specific, developable sites or broad locations for growth, for the subsequent years 6-10 and, where possible, for years 11-15 of the remaining plan period (Paragraph 72)

3.2.4 Paragraph 78 states that: Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of: a) 5% to ensure choice and competition in the market for land; or b) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply; or c) From 1 July 2026, for the purposes of decision-making only, 20% where a local planning authority has a housing requirement adopted in the last five years examined against a previous version of this Framework, and whose annual average housing requirement is 80% or less of the most up to date local housing need figure calculated using the standard method set out in national planning practice guidance.

3.2.5 In terms the deliverability of sites, the NPPF sets out in the glossary: To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. To be considered developable, sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged.

3.2.6 The emerging Local Plan must be prepared in accordance with the NPPF.

3.2.7 Planning Practice Guidance, as supported by Government announcements regarding planning for housing need, is then clear the standard method should be used to assess housing needs. In the specific circumstances an alternative approach could be justified, however the key consideration is whether the alternative figure provides the basis for a plan that is positively prepared (PPG Paragraph: 015 Reference ID: 2a-015-20241212).

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

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

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

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: Policy SP02 sets a housing provision for at least 20,909 dwellings (net) by 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. This policy approach is said to consider the recently revised Standard Method figure and transitional arrangements in the NPPF.

4.1.2 The policy supporting text recognises the challenges of delivering against the significant housing need and particularly where a significant portion of the plan is reliant on major sites and a new settlement (see policy WS01 regarding the new settlement). There are inherent complexities in delivering major development sites, particularly the proposed new community, and therefore the plan proposes a stepped trajectory.

4.1.3 Projected delivery from all sources has outlined that there will be a delivery of 22,943 homes, of which 4,204 have been built. This means a net delivery of 18,739 dwellings. It is also worked out, discounting those already built, that there is a net need of 16,705 dwellings (subtracting from the requirement of 20,909 dwellings) across the 22 year plan period to be delivered through windfalls and allocations. This gives a

surplus of 2,034 dwellings to act as a headroom surplus of 12.18%, which is just above the council's stated aspiration for a minimum 10% headroom within the plan

4.1.4 The report also sets out the rolling five year housing supply calculations, includin20% buffer in line with the NPPF. On this basis, the Council will have a 6.64 year supply and therefore at least a five year supply in the first five years of the plan. However, as demonstrated by the trajectory at Draft Local Plan Appendix 1, delivery in the later years is marginal and some years fall short of the requirement, including years at the end of the plan. The trajectory in the later years of the plan has further reduced compared with the first Regulation 19 consultation trajectory. Figure 4.1 Fundamentally, East Devon must deliver its housing requirement on the allocated sites included within the plan to meet its requirements. Even though there is a 'headroom' of 12.18%, this is across the 22 year plan period and only provides a 92.5 dwelling buffer per year. Further, of the 2,034 dwelling buffer, 1,837 (102 dwellings in 26/27, 111 dwellings in 27/28 and then 116 dwellings per annum for 14 years) are not allocated and would need to come forward as windfall development.

4.1.6 This approach is unsound as if a headroom is to be provided all additional homes should be allocated to ensure delivery. However, at present, there is no evidence the headroom will fully be delivered. Therefore, whilst the principle of a headroom is welcomed, the plan should identify sufficient sites to fully deliver this headroom. The council should re-assess the sites submitted in the call for sites so these additional dwellings can be allocated. Failure to do so would mean the housing forecast is not 'sufficiently flexible'. Site (GH/ED/26), or part of it, for example, is a suitable location for a proportion of 'headroom' dwellings. This site will be discussed in more detail in section 6.

4.1.7 If dwellings are completed early on in the plan period, East Devon could struggle to meet its higher target later in the plan period. In fact, at the moment, in the trajectory, the requirement is being significantly under-met from 2039 onwards, with delivery from 2033 onwards being slightly marginal and much more reliant on windfall sites coming forward.

4.1.8 The Council accepts there is currently only a 3.5 year housing land supply and so it is imperative that sites are allocated and brought forward in the Local Plan. The housing delivery technical report sets out the housing trajectory for the plan and the sources of housing supply. Allocations make up for 40.9% (9,373 dwellings) of the housing supply to be delivered as set out in the Housing Delivery Technical Report (November 2025), with the planned new settlement at Marlcombe being a significant contributor to supply from allocations over the plan period Larger sites and new settlements are inherently challenging to deliver. Recent research shows how large schemes have elongated delivery timescales such that on sites of 2,000 dwellings or more it can take nearly 8 years from the validation of the first planning application to

delivery of the first dwelling on site for schemes of 2,000 or more dwellings. However, the emerging plan assumes earlier delivery, which places a significant risk on overall delivery of housing across the plan period.

4.1.10 Therefore, whilst the policy intentions are noted there is an inherent soundness risk with the proposed stepped trajectory related to the acute housing land supply issues in East Devon and the risk that larger sites within the trajectory will be delayed.

4.1.11 There are concerns with deliverability in the timescales given that the planning for the new settlement is in its early stages. Given the stepped approach to housing delivery, there is a greater emphasis on housing delivery between 2031 and 2042 and so if delivery stalls due to delivery of a large scale scheme, East Devon could fall behind the target by a number of dwellings.

4.1.12 As such, there is an accepted and very acute short-term housing land supply challenge (with a current supply position of 3.5 years), a further shorter term supply challenge in the early years of the plan (hence the stepped trajectory) and a further longer term supply challenge should larger sites and the new settlement not progress as expected. Therefore, the logical solution is for the council to identify smaller deliverable sites in addition to the current draft allocations to provide greater flexibility. A revised National Planning Policy Framework ('NPPF') came into effect in December 2024 alongside a revised Standard Method for calculation housing needs. The revision strengthened the presumption in favour of sustainable development and emphasises the importance of housing delivery. Annex 1 of the NPPF deals with transitional arrangements for existing draft local plans, meaning the previous NPPF remains relevant for this local plan.

3.1.2 NPPF Annex 1 paragraph 234(a) sets the transitional arrangements for existing draft Local Plans which have reached at least Regulation 19 stage consultation before 12th March 2025 and are submitted for Examination by 12th June 2026 or 31st December 2026, and the draft plan meets at least 80% of local housing need . Where Annex 1 is met, the previous NPPF (December 2023) and associated housing requirements will be used for the purposes of assessing the plan. This transitional arrangement seemingly applies to the East Devon Local Plan as the Council consulted on the first Regulation 19 document before the deadline, and the representations are made on this basis However, should the Inspector find the transitional arrangements do not apply the December 2024 version of the NPPF and associated housing requirements apply.

3.1.3 As a result of the updated Standard Method the annual housing requirement for East Devon has increased from 893 to 1,146 dwellings, which has implications for the immediate five year housing land supply as well as the longer term position set through

the emerging local plan. If the NPPF Annex 1 transitional arrangements did not apply Preparation of Local Plans

3.2.1 The National Planning Policy Framework at Paragraph 34 states that policies in local plans should be reviewed to assess whether they need updating at least once every five years. Paragraph 36 outlines that Local Plans must be prepared in accordance with legal and procedural requirements. They are also examined to assess whether they are sound. Plans are 'sound' if they are: ? Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development; ? Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence; ? Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and ? Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

3.2.2 NPPF paragraph 62 is clear that local plans should meet local housing needs, stating: To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.

3.2.3 In identifying land for new homes, the NPPF is clear that: Strategic policy-making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of: a) specific, deliverable sites for five years following the intended date of adoption; and b) specific, developable sites or broad locations for growth, for the subsequent years 6-10 and, where possible, for years 11-15 of the remaining plan period (Paragraph 72)

3.2.4 Paragraph 78 states that: Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of: a) 5% to ensure choice and competition in the market for land; or b) 20% where there has been significant under

delivery of housing over the previous three years, to improve the prospect of achieving the planned supply; or c) From 1 July 2026, for the purposes of decision-making only, 20% where a local planning authority has a housing requirement adopted in the last five years examined against a previous version of this Framework, and whose annual average housing requirement is 80% or less of the most up to date local housing need figure calculated using the standard method set out in national planning practice guidance.

3.2.5 In terms the deliverability of sites, the NPPF sets out in the glossary: To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. To be considered developable, sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged.

3.2.6 The emerging Local Plan must be prepared in accordance with the NPPF.

3.2.7 Planning Practice Guidance, as supported by Government announcements regarding planning for housing need, is then clear the standard method should be used to assess housing needs. In the specific circumstances an alternative approach could be justified, however the key consideration is whether the alternative figure provides the basis for a plan that is positively prepared (PPG Paragraph: 015 Reference ID: 2a-015-20241212).

Full name: Nathan Price

Organisation (where relevant): Tetlow King Planning

Other party name (if relevant): South West Housing Association Planning Consortium

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Draft Strategic Policy SP02 highlights a change to the affordable housing requirement for the plan period in light of the findings of the newly published 2025 East Devon Housing Needs Assessment (HNA). Paragraph 3.10 summarises that the 2025 HNA identifies a need for 4,108 affordable rented homes and an additional 1,170 affordable homeownership dwellings for the period 2020 to 2040. The SWHAPC notes that these figures together (4,108 + 1,170) equate to a total affordable housing need for the District of 5,708 affordable dwellings, which is greater than the previously identified figure of 4,477 dwellings. Given this increase in identified need, the Council should continue to seek opportunities to increase the delivery of affordable housing in East Devon.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Draft Strategic Policy SP02: Levels of future housing development Draft Strategic Policy SP02 highlights a change to the affordable housing requirement for the plan period in light of the findings of the newly published 2025 East Devon Housing Needs Assessment (HNA). Paragraph 3.10 summarises that the 2025 HNA identifies a need for 4,108 affordable rented homes and an additional 1,170 affordable homeownership dwellings for the period 2020 to 2040. The SWHAPC notes that these figures together (4,108 + 1,170) equate to a total affordable housing need for the District of 5,708 affordable dwellings, which is greater than the previously identified figure of 4,477 dwellings. Given this increase in identified need, the Council should continue to

seek opportunities to increase the delivery of affordable housing in East Devon. As previously stated in our response to the first Regulation 19 consultation, the affordable housing need figure is only contained in the supporting text to Draft Strategic Policy SP02 and not contained within the policy text itself. Consequently, it could be argued that this target figure does not form part of the policy requirement. The SHWAPC recommends that the affordable housing delivery target figure is set out within the text of the policy itself, rather than the supporting text, to ensure that it is viewed as a policy requirement within the Local Plan.

Full name: Nathan Price

Organisation (where relevant): Tetlow King Planning

Other party name (if relevant): South West Housing Association Planning Consortium

Proposal:

3. The Spatial Strategy

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Draft Strategic Policy SP02 highlights a change to the affordable housing requirement for the plan period in light of the findings of the newly published 2025 East Devon Housing Needs Assessment (HNA). Paragraph 3.10 summarises that the 2025 HNA identifies a need for 4,108 affordable rented homes and an additional 1,170 affordable homeownership dwellings for the period 2020 to 2040. The SWHAPC notes that these figures together (4,108 + 1,170) equate to a total affordable housing need for the District of 5,708 affordable dwellings, which is greater than the previously identified figure of 4,477 dwellings. Given this increase in identified need, the Council should continue to seek opportunities to increase the delivery of affordable housing in East Devon.

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Full name: Andrew Ross

Organisation (where relevant): Turley

Other party name (if relevant): Bloor Homes Exeter and Stuart Partners Ltd

Proposal:

3. The Spatial Strategy

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Strategic Policy SP02: Levels of future housing development [Object]

2.6 Paragraph 3.9 within the plan states that the policy: "…responds to the Council's priority of addressing housing needs by establishing a clear housing requirement based on the Standard Method using latest ONS statistics".

2.7 This is not the case as the Council is seeking to progress its plan using the transitional arrangements available as part of the NPPF (December 2024), by making provision for only 80% of the housing need which is now identified by the latest version of the Standard Method. The approach being taken by the plan (and specifically Policy SP02) is not consistent with the Council's stated aim and approach as recorded at Paragraph

3.9. This in turn is not consistent with national planning policy that seeks to boost significantly the provision of new housing.

2.8 The level of housing being planned for by the plan is not consistent with latest national policy on need (as reflected in the up-to-date standard method for Local Housing Need), with even the annual provision in the later years of the plan (1,070dpa based on a stepped trajectory) less than the new minimum figure of 1,118dpa which is derived from the version of the Standard Method used to prepare the plan and contained within the first Regulation 19 consultation document (and which is less than the most recent version of the standard method calculation for East Devon which would be 1,156dpa), and which is the basis for the 80% minimum threshold to progress using transitional arrangements.

2.9 Although no specific unmet need has yet been identified to exist, the Council's approach also makes no provision for any unmet needs for housing, that may arise

within the City of Exeter, and where East Devon District may be well placed to meet those needs. The preparation and examination of the Exeter Local Pan will be occurring in parallel with that in East Devon and so there will remain a need to retain flexibility and act responsively in the interests of planning for this important part of Devon and wider South West.

2.10 There is support for the potential that the new community will contribute the delivery of 3,300 new homes within the Local Plan period to 2042. This level and pace of housing delivery remain ambitious, and Bloor Homes and Stuart Partners intend to work proactively with the Council to bring forward proposals at Marlcombe quickly in order to support the ambition, as far as is reasonable. However, such progression will require additional detail (as part of Strategic Policy WS01) and significant proactive collaboration on delivery with the Council and other stakeholders.

2.11 As is set out within the Housing Delivery Technical Report (HOU-001(rev)), the Council is expecting that the new community development will contribute 144 new homes (completions) in the 2029/30 monitoring year, with then a further 144 new homes in 2030/31 and increased rates of delivery beyond this (peaking at 360 dwelling in each of the final two years of the plan). Given the lead in times required for development on this scale and assuming the adoption of the plan during 2027 (as set out in the Council's October 2025 LDS) it will be essential that the work on the preparation for delivery of development at Marlcombe proceeds at pace in parallel with the Examination and Adoption of the Local Plan. To achieve this the Council will need to work pro-actively and

collaboratively with developers, promotors and landowners in order that relevant design and technical work can be progressed to support planning applications which will achieve this development trajectory. The submission of planning applications, in parallel with the preparation and examination of the plan will be essential if these completions are to be achieved.

2.12 In addition, whilst we are aware that the Council has ambitions to ultimately set up a Development Corporation to take forward, deliver parts of and manage the stewardship of the new community in long term, it is important to recognise the timescales required to put in place such Governance and ensure that such aspirations do not undermine the pace of delivery at Marlcombe, which is required to meet the Plan's trajectory expectations. Early applications can deliver important new homes, employment, physical, social and community infrastructure whilst not undermining the future Governance aspirations of the Council.

2.13 Finally, alternative models for development, including where the use of CPO may be required, are unlikely to achieve the scale and pace of development required by the

plan and further early clarity on this remains important (irrespective of the outcome of and any decisions made concerning the government's new towns programme).

2.14 Further comments on delivery as part of Strategic Policy WS01 are made in respect of subsequent parts of the plan, it remains important that there is confirmation of how the Council expects this scale and pace of delivery to be achieved, as it is critical to the success of the plan overall.

Full name: Mathew Cairns

Other party name (if relevant): N/A

Proposal:

3. The Spatial Strategy

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: This policy relies on the soundness of "the spatial strategy and the site allocations set out in this plan". The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant. This policy is unjustified until such time the correct numbers are used based on the latest 2024 ONS data. The numbers in Paragraph 3.11 are unjustified. The plan currently has a significant and unjustified over supply of housing. Furthermore a large headroom of housing allocations is not required as the affordability trend is due to continue to improve due to the latest years being significantly better than the 5 year old figures being removed from the calculation, which were prior to house prices stabilising and recent average wage growth. Secondly many sites in the site selection process which were 'preferred' by the planning policy team, were rejected in the draft Plan for allocation, but are now being granted planning permission outside of the plan. Due to the unique circumstances of these allocations, with their significant size, they should be added to the windfall (or permitted not yet built) figures, rather than absorbed with them, with the number within the Plan therefore reduced accordingly. Of significant note, Paragraph 3.8 now has a clause which provides an update mechanism within the plan to cover any future shortfall, so a large headroom is no longer unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library.

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

suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the number of houses to be built on the Exmo_20 site to the minimum.

Full name: Alison Earp

Proposal:

3. The Spatial Strategy

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

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

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

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precise as possible.: Reconsider the location of large housing allocations including Marlcombe, considering the known South East Devon strategic mitigation strategy.

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

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

Full name: Sophie Glanfield

Proposal:

3. The Spatial Strategy

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

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precise as possible.: Significantly reduce quantity of houses being built across all sites, especially Exmo_20

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

Full name: Sammy Glanfield

Proposal:

3. The Spatial Strategy

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

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precise as possible.: Remove housing from close to european wildlife sites like EXMO_20

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

Full name: finn glanfield

Proposal:

3. The Spatial Strategy

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

Full name: emily glanfield

Proposal:

3. The Spatial Strategy

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

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precise as possible.: Significantly reduce the housing allocation to Exmouth and reconsider other sites.

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

Full name: Joe Glanfield

Proposal:

3. The Spatial Strategy

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: This policy relies on the soundness of "the spatial strategy and the site allocations set out in this plan". The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant. This policy is unjustified until such time the correct numbers are used based on the latest 2024 ONS data. The numbers in Paragraph 3.11 are unjustified. The plan currently has a significant and unjustified over supply of housing. Furthermore a large headroom of housing allocations is not required as the affordability trend is due to continue to improve due to the latest years being significantly better than the 5 year old figures being removed from the calculation, which were prior to house prices stabilising and recent average wage growth. Secondly many sites in the site selection process which were 'preferred' by the planning policy team, were rejected in the draft Plan for allocation, but are now being granted planning permission outside of the plan. Due to the unique circumstances of these allocations, with their significant size, they should be added to the windfall (or permitted not yet built) figures, rather than absorbed with them, with the number within the Plan therefore reduced accordingly. Of significant note, Paragraph 3.8 now has a clause which provides an update mechanism within the plan to cover any future shortfall, so a large headroom is no longer unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library.

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

Full name: John Hamill

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: This policy relies on the soundness of "the spatial strategy and the site allocations set out in this plan". The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant. This policy is unjustified until such time the correct numbers are used based on the latest 2024 ONS data. The numbers in Paragraph 3.11 are unjustified. The plan currently has a significant and unjustified over supply of housing. Furthermore a large headroom of housing allocations is not required as the affordability trend is due to continue to improve due to the latest years being significantly better than the 5 year old figures being removed from the calculation, which were prior to house prices stabilising and recent average wage growth. Secondly many sites in the site selection process which were 'preferred' by the planning policy team, were rejected in the draft Plan for allocation, but are now being granted planning permission outside of the plan. Due to the unique circumstances of these allocations, with their significant size, they should be added to the windfall (or permitted not yet built) figures, rather than absorbed with them, with the number within the Plan therefore reduced accordingly. Of significant note, Paragraph 3.8 now has a clause which provides an update mechanism within the plan to cover any future shortfall, so a large headroom is no longer unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library.

Full name: Alison Humphrey

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: This policy relies on the soundness of "the spatial strategy and the site allocations set out in this plan". The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant. This policy is unjustified until such time the correct numbers are used based on the latest 2024 ONS data. The numbers in Paragraph 3.11 are unjustified. The plan currently has a significant and unjustified over supply of housing. Furthermore a large headroom of housing allocations is not required as the affordability trend is due to continue to improve due to the latest years being significantly better than the 5 year old figures being removed from the calcualtion, which were prior to house prices stabilising and notable average wage growth. Secondly many sites in the site selection process which were 'preferred' by the planning policy team, were rejected in the draft Plan for allocation, but are now being granted planning permission outside of the plan. Due to the unique circumstances of these allocations, with their significant size, they should be added to the windfall (or permitted not yet built) figures, rather than absorbed with them, with the number within the Plan therefore reduced accordingly. Of significant note, Paragraph 3.8 now has a clause which provides an update mechanism within the plan to cover any future shortfall, so a large headroom is no longer unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library.

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

precise as possible.: Remove the unsustainable sites in Exmouth. Sites should be allocated for the right reasons, not just because the town or village is expected to contribute. If sites are not suitable then they should be removed.

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

Full name: Robin James Meadwell

Proposal:

3. The Spatial Strategy

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

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

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

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

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.: It is assumed that legal advice was obtained, however the Spatial Strategy sets out Settlement Boundaries and Infrastructure along with the Justification Policy for both and again emphasises the need to protect the identity and of the natural landscape, yet the volume of housing stated to be required is entirely contradictory to these objectives. The policy of seeking to attract new industries and employment is a hope and not a fact. Housing development on the scale proposed without existing opportunities is unjustified and the national policy to increase populations in all areas is flawed and any change in Government is likely to see amendments to the current policy. Whilst there may be a requirement for some small developments to proceed (under to dwellings), the large scale developments identified for Axminster, Seaton and Sidmouth of circa 1,450 dwellings would substantially increase the population and increase the demands on infrastructure and local services. Whilst Developers may be required to contribute to infrastructure requirements with a Section 106 demand, Developers (particularly national Developers) often renege on such requirements or delay undertaking such works. I work closely with the Construction industry and have seen numerous examples of this conduct by Developers across the Country. The developments earmarked for Axminster and Seaton in particular appear excessive in the number of homes required and particularly given the close proximity of substantial developments to the south of Chard and close to the boundary between Somerset and Devon, along with the proposed developments in West Dorset close to Lyme Regis. These developments may be in different counties, however they substantially increase the population of the region generally.... once what has been built is actually sold.

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

the Spatial Strategy chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The number of houses to be developed requires a substantial reduction unless and until the employment opportunities exist to justify the further development beyond the existing available housing stock. It is a fallacy that providing new build homes reduces house prices generally.

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The Spatial Strategy is contradictory. The stated protections in place to preserve the natural landscape and the identity of communities are not compatible with the substantial new building that is stated to be required. The hope of attracting new industries and employment does not justify or require the actual development.

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

4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Whilst this chapter may comply with the Government requirement for local authorities to agree with the national plan, that does not make it right for the region.

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

Full name: Robin James Meadwell

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The volume of housing proposed for East Devon is substantial, even if the development of Marlcombe is excluded, the proposed new housing for Exmouth, Axminster, Honiton, Topsham, Ottery St Mary, Seaton and Sidmouth will significantly increase the population across East Devon by circa 12,000 people if all of the proposed developments proceed and all properties are sold. New development of housing on such a scale has numerous detrimental effects and will require significant additional infrastructure to be constructed and all of which would alter the entire landscape and the very character which other policies of EDDC are seeking to protect. Large national Developers will make grand promises to construct sympathetically and to enhance areas, the reality is often extremely different. The National Planning Proposal is flawed in many respects and any change in Government is likely to see amendments to this plan. The requirement for new housing should be based upon demand and the need. At present this does not exist and issues such as the lack of affordable housing can be addressed more appropriately at a local level and not by a national government policy and excessive over-development across the region is not the solution.

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

Full name: Billy reed

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: This policy relies on the soundness of "the spatial strategy and the site allocations set out in this plan". The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant. This policy is unjustified until such time the correct numbers are used based on the latest 2024 ONS data. The numbers in Paragraph 3.11 are unjustified. The plan currently has a significant and unjustified over supply of housing. Furthermore a large headroom of housing allocations is not required as the affordability trend is due to continue to improve due to the latest years being significantly better than the 5 year old figures being removed from the calculation, which were prior to house prices stabilising and recent average wage growth. Secondly many sites in the site selection process which were 'preferred' by the planning policy team, were rejected in the draft Plan for allocation, but are now being granted planning permission outside of the plan. Due to the unique circumstances of these allocations, with their significant size, they should be added to the windfall (or permitted not yet built) figures, rather than absorbed with them, with the number within the Plan therefore reduced accordingly. Of significant note, Paragraph 3.8 now has a clause which provides an update mechanism within the plan to cover any future shortfall, so a large headroom is no longer unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library.

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

precise as possible.: Significantly reduce housing allocations for Exmouth and relook at housing need.

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

Full name: Nicholas Rorke

Proposal:

3. The Spatial Strategy

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

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

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

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

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20.

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

Full name: Sam Rorke

Other party name (if relevant): N/A

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: This policy relies on the soundness of "the spatial strategy and the site allocations set out in this plan". The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant. This policy is unjustified until such time the correct numbers are used based on the latest 2024 ONS data. The numbers in Paragraph 3.11 are unjustified. The plan currently has a significant and unjustified over supply of housing. Furthermore a large headroom of housing allocations is not required as the affordability trend is due to continue to improve due to the latest years being significantly better than the 5 year old figures being removed from the calculation, which were prior to house prices stabilising and recent average wage growth. Secondly many sites in the site selection process which were 'preferred' by the planning policy team, were rejected in the draft Plan for allocation, but are now being granted planning permission outside of the plan. Due to the unique circumstances of these allocations, with their significant size, they should be added to the windfall (or permitted not yet built) figures, rather than absorbed with them, with the number within the Plan therefore reduced accordingly. Of significant note, Paragraph 3.8 now has a clause which provides an update mechanism within the plan to cover any future shortfall, so a large headroom is no longer unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library.

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

suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce the number of houses to be built on the Exmo_20 site to the minimum.

Full name: Nicholas Rorke

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: This policy relies on the soundness of "the spatial strategy and the site allocations set out in this plan". The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant. This policy is unjustified until such time the correct numbers are used based on the latest 2024 ONS data. The numbers in Paragraph 3.11 are unjustified. The plan currently has a significant and unjustified over supply of housing. Furthermore a large headroom of housing allocations is not required as the affordability trend is due to continue to improve due to the latest years being significantly better than the 5 year old figures being removed from the calculation, which were prior to house prices stabilising and recent average wage growth. Secondly many sites in the site selection process which were 'preferred' by the planning policy team, were rejected in the draft Plan for allocation, but are now being granted planning permission outside of the plan. Due to the unique circumstances of these allocations, with their significant size, they should be added to the windfall (or permitted not yet built) figures, rather than absorbed with them, with the number within the Plan therefore reduced accordingly. Of significant note, Paragraph 3.8 now has a clause which provides an update mechanism within the plan to cover any future shortfall, so a large headroom is no longer unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library.

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

precise as possible.: Consider reducing the number of houses for Exmo_20 and finding another smaller site to accommodate the remainder. Spread the load. This is ltgether too much burden on Exmouth which is unable do develop evenly s it is bordered by the sea and the River Exe.

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

Full name: Andrea Rorke

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Just because Exmouth is the largest town in East Devon and classed as the only tier 1 in East Devon, does not mean that it is suitable, sustainable or viable to take the highest levels of growth outside of the West End. It is time that the the issues surrounding any new developments within Exmouth and its surrounding areas were taken into account and not just ignored. The existing sewerage issues and the fact that the existing, and only, Secondary School in Exmouth is working beyond its capacity, are the tip of the iceberg. Exmouth lies on a peninsula, it has the sea on one side to the South, the estuary on another side to the West, and the SSSI Pebblebed Heaths on another side to the East. The only available land for development is to the North, which is the furthest away from the town centre and its services. There are two main access roads into Exmouth, with both already being noted for their congestion which is only exacerbated at weekends and during the holiday seasons. In addition to this, one of these routes is the main access route to the North of Exmouth where the majority of development is planned, and also the main access point for Woodbury and Budleigh Salterton. These access routes cannot be improved, if even possible, without major development and infrastructure improvements and the necessary investment required. In addition to the above, where are the residents of the new community at Marlcombe and all of the other new developments in East Devon and beyond going to go if they want to visit a beach in this area. It will not be Exmouth if we continue to build at this level.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20.

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

Full name: Andrea Rorke

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Paragraph 3.1 and 3.4 need to be changed. Just because Exmouth is the largest town in East Devon and classed as the only tier 1 in East Devon, does not mean that it is suitable, sustainable or viable to take the highest levels of growth outside of the West End. It is time that the the issues surrounding any new developments within Exmouth and its surrounding areas were taken into account and not just ignored. The existing sewerage issues and the fact that the existing, and only, Secondary School in Exmouth is working beyond its capacity, are the tip of the iceberg. Exmouth lies on a peninsula, it has the sea on one side to the South, the estuary on another side to the West, and the SSSI Pebblebed Heaths on another side to the East. The only available land for development is to the North, which is the furthest away from the town centre and its services. There are two main access roads into Exmouth, with both already being noted for their congestion which is only exacerbated at weekends and during the holiday seasons. In addition to this, one of these routes is the main access route to the North of Exmouth where the majority of development is planned, and also the main access point for Woodbury and Budleigh Salterton. These access routes cannot be improved, if even possible, without major development and infrastructure improvements and the necessary investment required. In addition to the above, where are the residents of the new community at Marlcombe and all of the other new developments in East Devon and beyond going to go if they want to visit a beach in this area. It will not be Exmouth if we continue to build at this level.

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

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20.

Full name: Andrea Rorke

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: This policy relies on the soundness of "the spatial strategy and the site allocations set out in this plan". The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant. This policy is unjustified until such time the correct numbers are used based on the latest 2024 ONS data. The numbers in Paragraph 3.11 are unjustified. The plan currently has a significant and unjustified over supply of housing. Furthermore a large headroom of housing allocations is not required as the affordability trend is due to continue to improve due to the latest years being significantly better than the 5 year old figures being removed from the calculation, which were prior to house prices stabilising and recent average wage growth. Secondly many sites in the site selection process which were 'preferred' by the planning policy team, were rejected in the draft Plan for allocation, but are now being granted planning permission outside of the plan. Due to the unique circumstances of these allocations, with their significant size, they should be added to the windfall (or permitted not yet built) figures, rather than absorbed with them, with the number within the Plan therefore reduced accordingly. Of significant note, Paragraph 3.8 now has a clause which provides an update mechanism within the plan to cover any future shortfall, so a large headroom is no longer unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library.

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

precise as possible.: Reduce the number of houses to be built on the Exmo_20 site to the minimum.

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

Full name: Robert Shand

Proposal:

3. The Spatial Strategy

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: I am writing to register my opposition in the strongest possible terms to the above. I believe the plan is far in excess of the amount of housing that is required because we have already had the Cranbrook development and Exmouth has expanded greatly over recent years. East Devon is supposed to be an area of outstanding natural beauty yet the council seems intent on concreting much of it. Also, I believe the land is prime farming land and, as a country, we are unable to feed ourselves so I think we should utilise as much farm land as possible and not build on it as far as is practical. Where are all the jobs for the people going to come from ? In addition, where will also the extra water supply be found and, just as importantly, how will all the extra sewage be disposed of ? How about all the extra infrastructure that would be needed - houses, schools, health centres etc. and where would the staff be found ? Really, I feel East Devon is busy enough as it is although I accept development is necessary but it is the scale of this plan which is unacceptable. I hope it is not approved.

Full name: Thomas Shillitoe

Proposal:

3. The Spatial Strategy

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

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

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

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

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.: This policy relies on the soundness of "the spatial strategy and the site allocations set out in this plan". The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant.

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Undertake the site selection process after the Appropriate Assessment and any mitigation strategy is developed. Use latest ONS Data. Use actual Site Selection Methodology, not retrospectively created version. Undertake Mitigation Hierarchy assessment.

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: This policy relies on the soundness of "the spatial strategy and the site allocations set out in this plan". The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant. This policy is unjustified until such time the correct numbers are used based on the latest 2024 ONS data. The numbers in Paragraph 3.11 are unjustified. The plan currently has a significant and unjustified over supply of housing. Furthermore a large headroom of housing allocations is not required as the affordability trend is due to continue to improve due to the latest years being significantly better than the 5 year old figures being removed from the calculation, which were prior to house prices stabilising and notable average wage growth. Secondly

many sites in the site selection process which were ‘preferred’ by the planning policy team, were rejected in the draft Plan for allocation, but are now being granted planning permission outside of the plan. Due to the unique circumstances of these allocations, with their significant size, they should be added to the windfall (or permitted not yet built) figures, rather than absorbed with them, with the number within the Plan therefore reduced accordingly. Of significant note, Paragraph 3.8 now has a clause which provides an update mechanism within the plan to cover any future shortfall, so a large headroom is no longer unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Undertake the site selection process after the Appropriate Assessment and any mitigation strategy is developed. Use latest ONS Data. Use actual Site Selection Methodology, not retrospectively created version. Undertake Mitigation Hierarchy assessment.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Undertake the site selection process after the Appropriate Assessment and any mitigation strategy is developed. Use latest ONS Data. Use actual Site Selection Methodology, not retrospectively created version. Undertake Mitigation Hierarchy assessment.

Full name: Jamie Vickery

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: This policy relies on the soundness of "the spatial strategy and the site allocations set out in this plan". The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant. This policy is unjustified until such time the correct numbers are used based on the latest 2024 ONS data. The numbers in Paragraph 3.11 are unjustified. The plan currently has a significant and unjustified over supply of housing. Furthermore a large headroom of housing allocations is not required as the affordability trend is due to continue to improve due to the latest years being significantly better than the 5 year old figures being removed from the calculation, which were prior to house prices stabilising and recent average wage growth. Secondly many sites in the site selection process which were 'preferred' by the planning policy team, were rejected in the draft Plan for allocation, but are now being granted planning permission outside of the plan. Due to the unique circumstances of these allocations, with their significant size, they should be added to the windfall (or permitted not yet built) figures, rather than absorbed with them, with the number within the Plan therefore reduced accordingly. Of significant note, Paragraph 3.8 now has a clause which provides an update mechanism within the plan to cover any future shortfall, so a large headroom is no longer unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library

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

precise as possible.: Reduce the number of houses to be built on the Exmo_20 site to the minimum.

Proposal:

3. The Spatial Strategy

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

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

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

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

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.: EDDC once again aiding and abetting developers, placing misery on residents and the natural environment. East Devon simply cannot cope with even more development.

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

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

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

4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.: This so-called consultation is a disgrace and seems deliberately designed to exclude the public from making meaningful contributions.

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

Full name: Rachel Danemann

Organisation (where relevant): Home Builders Federation

Proposal:

3. The Spatial Strategy

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

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

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

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

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy.

HBF continue to have significant concerns about the way the Council has arrived at its housing requirement. These are set out more fully in our response to the legal compliance section. In HBF's view the housing requirement is too low and such additional development will be needed. This will require the allocation of additional sites across East Devon in order for the Plan to be sound. HBF also continue to have concerns about the windfall allowance, the stepped trajectory, the 'headroom' allowance, the national requirement for small sites, the role of the new settlement, and how this Plan links to the Cranbrook Plan.

The Housing Requirement and the Standard Method Calculation:

Para 3.11 of this East Devon this second Local Plan Reg 19 consultation still says:

"The Local Plan housing provision follows transitional arrangements set out under the December 2024 redraft of the NPPF. The new standard method generates an annual average housing number (at February 2025) of 1,188 dwellings. Providing for 80% of this (para 234 of the December 2024 NPPF) generates the annual average housing level of 950.4 new homes, a 22-year plan requirement of 20,909."

In HBF's view, this is simply not correct. The introduction of the new standard method in the Dec 2024 NPPF requires the new standard method figure to be the starting point for setting the housing requirement in a Plan. HBF acknowledge that Plans that have reached the Reg 19 consultation stage before 12 March are able to proceed under the transitional arrangements, however as mentioned earlier, HBF would question if this Plan should be able to benefit from these provisions, and indeed even if it can, we remain of the view that only planning for 80% of the housing requirement was not the intention of the transitional arrangements.

The Council acknowledges the requirement for further consultation on the key spatial elements of meeting the housing needs in East Devon, the new settlement, HBF would therefore have expected an Issues and Options type Reg 18 consultation to be followed by a Preferred Options Reg 18, and then a Reg 19 consultation on the final version of the Plan, as it is intended to be submitted for Examination. The fact this is not the intention behind this version of the Plan could be seen as a failure to follow the correct processes and/or an attempt to manipulate the transitional arrangements to get an adopted Plan that does not have to plan for the full housing requirements. HBF strongly suggest that the need for an additional Reg 19 consultation on this Plan, means it has to be considered under the Dec 2024 NPPF in full, not the transitional arrangements, and as such the Plan must plan for the full housing requirement calculated using the new standard method.

Indeed, the standard method housing requirement has always been the minimum starting point for setting the housing requirement, and HBF support more housing than the standard method housing requirement in order to support economic growth, deliver more affordable housing, provide a range and type of sites and to support small and medium house builders. HBF would therefore argue that the standard method should be the minimum starting point for establishing the housing requirement for East Devon, and the Council should be considering each of these factors in turn to establish whether or not they justify a higher housing requirement.

In para 3.11 the Council acknowledges it has an affordable housing need of 4,477 over the Plan period, which the plan says is "justified by the latest evidence of affordable housing" when set against the housing requirement of 20,909 dwellings (a figure HBF questions), this suggests a need for affordable housing that could justify a higher housing requirement. No mention is made of the need to provide for a range and choice

of sites, the need to support economic growth, or the need to support diversification of housebuilding through the allocation of small and medium size sites to support SME builders. Each of these reasons, on their own or in combination, could support the need for a higher housing requirement.

HBF would continue to argue that the housing requirement in East Devon should be increased for a variety of reasons including supporting growth, providing for a range and choice of sites, to help deliver affordable housing and to better support SME house-builders. The new Dec 2025 clearly shows that all of the elements continue to underpin the Government's policy approach to house-building and the policy to deliver 1.5 million new homes within the Parliament.

Concern and Lack of clarity about a "Surplus":

As HBF do not agree that the housing requirements is sound, we also do not believe there is any 'surplus' housing being planned for in this Plan. Adding to our concerns about the figures, the explanation for the numbers given in the wording of para 3.11 remain confusing. At the first Reg 19 consultation we were unclear as to how the headroom/surplus of 9.8% has been calculated. This has now been increased to 12.8%, but the explanation for how this figure has been arrived at has not been further explained. We remain of the view that it would be more usual for these figures to be clearly explained and set out within the policy wording in a Table, rather than lost in a word salad of the supporting text. This policy needs to include specific reference to the annual monitoring requirement, this is essential for the Plan to be effective, and therefore sound.

The wording of para 3.1 has been updated to reflect the new 2025 calculations and monitoring. It now says that "the new standard method generates an annual average housing number (at Feb 2025, to 1,188 dwellings", and that "providing for 80% of this (para 234 of the December 2024 NPPF) generates the annual average housing level of 950.4 new homes, a 22-year plan requirement of 20,909." We strongly dispute this is the standard method baseline that should be the starting point for setting the housing the requirement, it should be 100%.

We remind of the view that other factors continue to justify the housing requirement should in be higher than the standard method in East Devon. However, even from an

80% of standard method starting point the Council are still then seemingly doing everything they can to minimise the calculations of the amount of housing that need to be provided for in this Plan, despite the Government's clear injective to increase housing delivery.

HBF believes that in order to be sound and to comply with the requirement for the Plan to include flexibility a surplus of more than 12.18% is needed. A figure which we remain unclear of the rationale for and calculation of.

Concerns about Windfall:

HBF remain concerned about the level of the windfall allowance being made in the Plan. HBF are of the view that any allowance for windfall should not be included until the fourth year of a housing trajectory, given the likelihood that dwellings being completed within the next three years will already be known about, as they are likely to need to have already received planning permission to be completed within that timeframe. We also would be supportive of windfall sites being additional to the housing requirements, providing further choice and flexibility in the market. There is simply no substitute for the certainty of an allocation, particularly for SME builders, a key part of the homebuilding sector that the Government is very keen to support.

Stepped trajectory:

HBF are also concerned that the stepped trajectory does not reflect the Government's clear national drive for an immediate uptick in housing delivery. Whilst we appreciate and agree with the challenges of delivering a large-scale new community (see our comments later on) and to assume delivery of completed housing units will not occur until later in the plan period, relying on this approach will not deliver the housing East Devon needs in the short and medium term. Further allocations are needed to deliver housing in the short and medium term are needed.

Small sites:

HBF note the national policy requirement around the need for Small Sites. The NPPF requires Local Plans to identify land to accommodate at least 10% of the housing requirement on sites no larger than one hectare, unless there are strong reasons why this cannot be achieved. HBF has undertaken ex-tensive consultation with its small developer members. One of the chief obstacles for small developers is that funding is extremely difficult to secure without a full, detailed, and implementable planning permission. Securing an implementable planning permission is extremely difficult if small sites are not allocated. Without implementable consents lenders are uneasy about making finance available or the repayment fees and interest rates they set will be very high. Small developers, consequently, need to invest a lot of money and time up-front in the risky business of trying to secure an allocation and a planning permission, and this is money that many small developers do not have.

Therefore, the Council should set out in the Plan's policies and evidence base to set out how the plan will deliver 10% of homes on sites of less than one hectare, as required by paragraph 73 of the 2024 NPPF. Indeed, the HBF would advocate that a higher percentage of small sites are allocated if possible. Such sites are important for encouraging the growth in SME housebuilders who will tend to develop these sites but rarely see the benefits that arise from the allocation of sites in a local plan. Up until the 1980s, small developers once accounted for the construction of half of all homes built in this country resulting in greater variety of product, more competition, and faster build-out rates. Since then, the number of small companies has fallen by 80%.

HBF have been unable to find within the evidence base any analysis of how the small site requirement will be delivered within this Plan. This information needs to be provided and HBF may wish to comment on it once it has been. HBF also note that support for small and medium builders need not be limited to only small sites of less than 1Ha. SMEs also deliver on other types of non-strategic sites (for example up to 100 units). The inclusion of additional non-strategic allocations would expand the range of choice in the market, and (possibly most importantly), be of a scale that can come forward and making a contribution to housing numbers earlier in the plan period.

The role of Cranbrook:

HBF, and the consultation document, recognise that Cranbrook new community benefits from its own Cranbrook Plan. Para 1.4 of this consultation document still explains that "The adopted Cranbrook Plan remains part of the Development Plan and is

the primary plan for determining planning applications at Cranbrook. However, many policies in this new local plan will also apply within the Cranbrook Plan area and should be applied alongside Cranbrook Plan policies which will remain in place as part of the Development Plan".

Despite this recognition the Plan, and this policy in particular, remains unclear about how the housing delivery at Cranbrook, which already has permission(s) will contribute to the delivery of the delivery of the housing requirement in East Devon. We would request that the housing trajectory specifically identifies Cranbrook development as a particular source of supply. This will be important for monitoring as indicates under-delivery of housing in Cranbrook this would necessitate a different response under the plan, monitor, manage approach, that say for example an under-delivery of housing in the villages, or a particular town.

HBF would also note that in relation to employment needs within the Plan it is important to recognise the interrelationship between homes and jobs, both whilst under construction and once occupied as people's homes.

The Importance of the role of the New Settlement within this Plan:

The NPPF encourages plans to look 30 years into the future when setting a long-term vision for their area. Strategic policies should look ahead over a minimum 15-year period from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure. The NPPF also confirms that the supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements. Where larger-scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery.

We note the Council's intention to develop a new settlement as one of the keys ways it will meet its housing need has progressed to discussions about a new community at Marlcombe. HBF has no objections in principle to bring forward a second new community in East Devon, which is supported by the NPPF. However, it is important to recognise the potential for there to be a significant lead in time for first homes to come

forward on new developments of this scale and the Council's housing trajectory will need to carefully consider appropriate lead in times and delivery rates for the new community. It can take many years if not decades for a new settlement to be delivered, and the suggestion that houses would be completed and able to make any early contribution to the housing land supply of this plan is ambitious.

The Plan should more clearly acknowledge that the new community will take time for it to be worked up and developed. Securing outline and detailed planning permission takes time, and the development still needs to be built out. East Devon has direct experience of the time scales involved and resources needed to deliver new communities, gained from its experience of facilitating the delivery of Cranbrook. Relying on a stepped trajectory will not help address the immediate housing crisis. As such additional sites should be allocated to provide a range and choice of sites and supporting SMEs developers.

Ongoing Concerns about the Housing Trajectory in Appendix One:

HBF welcomed the inclusion of a housing trajectory within the Plan in our first Reg 19 responses, as this is essential for the effective monitoring of the Plan. However, the Appendix One housing trajectory is remains insufficient. In order to enable effective monitoring and to demonstrate the 5 Year Land supply on adoption of the Plan the Housing Trajectory should be expanded to show a minimum the site-by-site, year-by-year breakdown of housing delivery over the plan period. This must also then link into the Monitoring Framework for this Plan.

As mentioned earlier, in order to enable effective there is a need to split out delivery from Cranbrook, the new Community, and delivery of the rest of the housing requirement. This will be important for monitoring as the actions that may need to be taken if the new Marlcombe community, or Cranbrook are not delivering will be different from the action that may be needed in the case of non-delivery of other types of sites.

The trajectory also clearly illustrates and underlines our concerns about the phasing of the housing requirement over the plan period with the majority of the housing being delivered later in the Plan period. This conflicts with the overarching national policy approach of seeking to increase house building in the short and medium term.

The housing trajectory should also be clear how much of the housing requirement is to be delivered through Neighbourhood Plans. As neighbourhood planning is an entirely voluntary activity and as such is outside of the control of the Council, HBF do not believe housing delivered through Neighbourhood Plans is a reliable enough source of supply to contribute to the Housing Land Supply Position, and they should be viewed as providing additional capacity.

Overall, therefore HBF do not believe the housing requirement or the housing land supply is sound, for all the reasons listed above, and the Council need to fundamentally revisit their approach. If, as we suggest, the Plan should be considered under the Dec 2024 NPPF, and not the transitional arrangements, this would fundamentally increase the starting point for the housing requirement considerations which HBF would then argue need to be higher for the reasons set out above. In our view this means the Plan needs to be wholly revisited to include a higher housing requirement and additional housing allocations. We cannot see how our concerns, which are so fundamental, could be addressed through the EIP process by suggested Main Modifications, particularly as we recognise the allocation of new sites will require additional SA work and public consultation.

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

Further allocations are needed to deliver housing in the short and medium term are needed.

the standard method should be the minimum starting point for establishing the housing requirement for East Devon, and the Council should be considering each of these factors in turn to establish whether or not they justify a higher housing requirement.

HBF would continue to argue that the housing requirement in East Devon should be increased for a variety of reasons including supporting growth, providing for a range and choice of sites, to help deliver affordable housing and to better support SME house-builders.

This policy needs to include specific reference to the annual monitoring requirement, this is essential for the Plan to be effective, and therefore sound.

HBF believes that in order to be sound and to comply with the requirement for the Plan to include flexibility a surplus of more than 12.18% is needed.

HBF are of the view that any allowance for windfall should not be included until the fourth year of a housing trajectory, given the likelihood that dwellings being completed within the next three years will already be known about, as they are likely to need to have already received planning permission to be completed within that timeframe. We also would be supportive of windfall sites being additional to the housing requirements, providing further choice and flexibility in the market.

the Council should set out in the Plan's policies and evidence base to set out how the plan will deliver 10% of homes on sites of less than one hectare, as required by paragraph 73 of the 2024 NPPF. Indeed, the HBF would advocate that a higher percentage of small sites are allocated if possible.

The inclusion of additional non-strategic allocations would expand the range of choice in the market, and (possibly most importantly), be of a scale that can come forward and making a contribution to housing numbers earlier in the plan period.

We would request that the housing trajectory specifically identifies Cranbrook development as a particular source of supply.

The Plan should more clearly acknowledge that the new community will take time for it to be worked up and developed. Securing outline and detailed planning permission takes time, and the development still needs to be built out. East Devon has direct experience of the time scales involved and resources needed to deliver new communities, gained from its experience of facilitating the delivery of Cranbrook. Relying on a stepped trajectory will not help address the immediate housing crisis. As such additional sites should be allocated to provide a range and choice of sites and supporting SMEs developers.

In order to enable effective monitoring and to demonstrate the 5 Year Land supply on adoption of the Plan the Housing Trajectory should be expanded to show a minimum the site-by-site, year-by-year breakdown of housing delivery over the plan period. This must also then link into the Monitoring Framework for this Plan.

SP03

Full name: Dan Rogers

Organisation (where relevant): Bell Cornwell

Other party name (if relevant): Combe Estate

Proposal:

3. The Spatial Strategy

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

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

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

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

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: Site Specific – Honi_07 The Estate are in control of land identified as Honi_07 – this was previously put forward as an allocation for 30 dwellings in previous versions of the plan. The client's land can be accessed directly from Waterleat Avenue to the north. During the preparation of the Regulation 19. Version of the Local Plan, Members have decided to allocate Honi_12 (land east of Cuckoo Down Lane) as additional development land. This site is landlocked and access would need to come through our client's land for delivery. Our client has no objection to the principle of this approach, but, given Honi_07 is road fronting this part of the allocation will need to come forward first to facilitate access to the wider development. COMBE ESTATE REPRESENTATIONS ON THE EAST DEVON LOCAL PLAN (2020 – 2042) REGULATION 19 CONSULTATION DRAFT (MARCH 2025) BY BELL CORNWELL LLP 4 As drafted, the allocation states: Land adjacent to St Michaels Church and south east of Cuckoo Down Lane (Honi_07 and Honi_12) This land is allocated for 101 homes and will form a residential extension on the southern side of Honiton. The site is in the Blackdown Hills National Landscape area and close to heritage assets, it will require very careful design to take account of its landscape setting and the setting of surrounding heritage assets. Therefore a high quality comprehensive development scheme is required for the whole site. Development within allocation Honi_12 is expected to be dependent on development within allocation Honi_07 coming forward, as access needs to be from Weatherill Road. The development will need to maximise opportunities for localised improvements/contributions to enhance sustainable travel modes." As drafted, the policy notes the different land ownerships and clearly Honi_07 will need to come

forward first to secure access to Honi_12. Our client is also aware that Honiton Town Council may object to Hon_12 (the additional land beyond our client's ownership) as an allocation through this process. This has been reported prior to the consultation on this stage of the Local Plan. Should this be the case, and any further objections raised to the wider allocation, our client would also be prepared to deliver their site as a single allocation for circa 30 dwellings, which previous proofing layouts provided with our reg 18. Submission (and submitted again now for completeness) show can be accommodated on the site. However, we wish to stress that the site can also come forward as part of a first phase of larger development for circa 101 houses if this is felt appropriate. They key issues to stress here, is that The Estate's land is deliverable. Technical work undertaken to date demonstrates the site is deliverable and it be delivered as a first phase of comprehensive development with the ability to connect to adjacent land parcels. Summary Position / Conclusion Combe Estate are of the view that both of their allocated sites represent sustainable development, and these are deliverable and suitable site for residential led mixed use development that will help meet the overall housing needs in Honiton and East Devon.

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): 3West Developments Ltd

Proposal:

3. The Spatial Strategy

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP03

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Strategic Policy SP03 – Housing Requirement by Designated Neighbourhood Plan:

We do not object in principle to Policy SP03, however have observed some discrepancies between the figures in this policy and those set out in Policy SD03 within the Second Regulation 19 Draft Local Plan.

Notably, the Honiton DNA housing requirement in Strategic Policy SP03 specifies 888 homes, while the Honiton allocations identified within Strategic Policy SD03 (Honiton and its development allocations) amount to 877 homes. It is unclear where the remaining 11 homes are proposed to be allocated given that Honiton Town are not actively progressing a Neighbourhood Development Plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Our attendance is necessary to effectively discuss the points raised in these representations.

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): 3West Developments Ltd

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP03

1(b). Does your comment relate to one of the changes listed in the table above?: No

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.:

2.12 3West raise no objection in principle to Policy SP03 and welcome the increase in the Exmouth DNA housing requirement from 2,311 to 2,331 dwellings. However, 3West Developments consider that further clarity is required regarding how this requirement is expected to be met over the plan period, having regard to existing commitments and the role of any future Neighbourhood Development Plan.

2.13 In particular, whilst Policy SP03 identifies a housing requirement of 2,331 dwellings for the Exmouth DNA, the allocations listed under Policy SD01 provide for 1,455 dwellings. It is therefore unclear whether this figure includes extant commitments and/or whether the Council anticipates an uplift to accommodate additional growth through the emerging Exmouth Neighbourhood Development Plan. The relationship between these figures, and the reliance upon them for meeting the Draft LP housing requirement, must be clarified to ensure consistency and certainty across the Draft Local Plan.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Our attendance is necessary to effectively discuss the points raised in these representations.

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Vistry Group

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP03

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Strategic Policy SP03: Housing Requirement by Designated Neighbourhood Area

2.12 Vistry object to the policy wording of SP03 and consider that additional changes to the text are required to ensure the policy is consistent with National Policy.

2.13 Whilst it is welcomed that paragraph 3.15 has been updated to acknowledge that this policy establishes a minimum housing requirement for the 42 Designated Neighbourhood Areas (DNAs), Vistry Group consider that greater emphasis should be placed on this minimum housing requirement and that the DNA should not be a ceiling for growth.

2.14 This emphasis will ensure Policy SP03 aligns with the Government's overarching objective of significantly boosting the supply of homes under paragraph 60 of the NPPF (2023). The policy wording is therefore not sound in its current draft. The Draft LP text should therefore be updated to reflect the above.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Whilst it is welcomed that paragraph 3.15 has been updated to acknowledge that this policy establishes a minimum housing requirement for the 42 Designated Neighbourhood Areas (DNAs), Vistry Group consider that greater emphasis should be placed on this minimum housing requirement and that the DNA should not be a ceiling for growth.

2.14 This emphasis will ensure Policy SP03 aligns with the Government's overarching objective of significantly boosting the supply of homes under paragraph 60 of the NPPF (2023). The policy wording is therefore not sound in its current draft. The Draft LP text should therefore be updated to reflect the above

Full name: Matt Frost

Organisation (where relevant): LRM Planning

Other party name (if relevant): 3West Developments Ltd

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP03

1(b). Does your comment relate to one of the changes listed in the table above?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Having regard to representations made in respect of Policy SP02, and the need to increase the housing requirement across the plan period, it is necessary to review Policy SP03 which sets a housing requirement for each designated neighbourhood area.

4.2 It will be necessary to apportion a greater level of growth across the neighbourhood areas (including the identification of an additional housing allocations) with the highest level of growth directed to the most suitable and sustainable settlements.

4.3 It is considered that Woodbury, which as a Rural Centre with an identified role in meeting local housing needs and service provision, has potential to accommodate such additional growth. The site at Higher Venmoor Farm (Wood_12) is one such site that should be considered as a housing allocation to accommodate increased levels of housing need, as set out in greater detail at Section 5.

Wood_12 comprises two open agricultural fields totalling 8.13 ha located on rising land to the southwest of Woodbury. As illustrated by Figure 1 below, it is directly adjacent to Wood_10 and Wood_16, both of which are proposed allocations in the Regulation 19 Plan and benefit from outline planning permission. Figure 1: Site Location

5.2 3W has submitted an application for the approval of reserved matters on Wood_10 (ref. 26/0016/MRES) and is committed to its delivery.

5.3 3W considers that the expansion of development onto Wood_12, as suitable, available and deliverable housing land, could help accommodate the increased housing requirement which should be planned for by the emerging local plan, as set out at Sections 3 and 4 above.

5.4 Wood_12 is considered suitable and available housing land by the East Devon Housing and Employment Land Availability Assessment (HELAA November 2022). The SHLAA identified a potential yield of 141 No. dwellings at a maximum density of 30 dwellings per hectare on a reduced developable area of 4.7 ha allowing for mitigation for landscape impact and flood risk (by avoiding development in the southern and eastern parts of the site respectively).

5.5 Notwithstanding the positive identification in the SHLAA, the Council's Site Selection Report (February 2025) as part of the emerging local plan process discounts Wood_12 as a housing allocation identifying a number of issues, which are responded to below: ? Educational Capacity: to be addressed through planning obligations. ? Highways: Safe pedestrian access to the village centre and its amenities can be secured through Wood_10 once developed (the reserved matters layout for which proposes pedestrian links to the southern boundary with Wood_12). Pedestrian access to Wood_16 and Broadway to the east will also be available via upgrades to a public right of way along the southern boundary of Wood_10 and provision of a footbridge over the Gilbrook secured by the outline permissions for Wood_10 and Wood_16. All highway considerations can be addressed by technical evidence presented as part of a future planning application. Wood_10 Wood_16 Wood_12 8 ? Landscape: Development would be focused on the northern parts of the site adjacent to built form on Wood_10 and avoiding elevated ground to the south. Given a reduced developable area of 4.7 ha, ample scope exists for strategic planting to secure a comprehensive landscape approach to new development with Wood_10 and Wood_16 on the southern edge of the village. Accessible landscaping and public open space within the site can be fully integrated with Wood_10 and Wood_16 via the pedestrian links referred to above. All highway considerations can be addressed by technical evidence presented as part of a future planning application. ? Heritage: The Local Plan Site Selection Report identifies "no significant effects which cannot be mitigated". ? Ecology: The Local Plan Site Selection Report identifies "minor adverse effect predicted (not significant)". ? Scale of Growth: Whilst the scale of growth of Woodbury when considering the cumulative effect with other allocations proposed within the emerging local plan would be significant, there is an identified need to increase housing delivery across the District. As a Rural Centre, Woodbury is a suitable and sustainable location to accommodate a commensurate level of new housing growth on well-designed schemes which provide the necessary infrastructure to meet increased demand. The allocation of Wood_12, in addition to the allocations proposed in the emerging local plan, would not result in a scale of growth at Woodbury which disrupts the spatial strategy proposed by Strategic Policy SP01. As a result, the size of Woodbury in terms of its population and housing stock would remain significantly smaller than those settlements in the higher tier of the settlement hierarchy (i.e. the Main Centres of Axminster, Honiton, Ottery St Mary, Seaton and Sidmouth) thus keeping the spatial strategy of the Plan wholly intact.

5.6 Having regard to the above, it is considered that Wood_12 should be considered as a housing allocation within the emerging Local Plan to help increase the supply of sites to meet identified needs and to attain a deliverable 5-year housing land supply (currently only 3.5 years).

Full name: Emma Morrison

Organisation (where relevant): Pegasus Group

Other party name (if relevant): The Co-op Group Food Ltd.

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP03

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.:

4.10. Axminster was designated as a Neighbourhood Area in October 2013, however no Neighbourhood Plan has been prepared.

4.11. This strategic policy establishes minimum housing requirements for the 42 currently Designated Neighbourhood Areas (DNAs), including Axminster. The table within the Policy sets out the requirements, for which 1,391 dwellings (minimum) are proposed to be directed towards Axminster to 2042. It reads like no homes are projected to be delivered through emerging/future neighbourhood plans within Axminster.

4.12. It would be expected therefore that allocations capable of delivering the full needs of Axminster are identified through this Plan, not waiting for any future Neighbourhood Plan to progress to identify and facilitate this.

Full name: Elliot Jones

Organisation (where relevant): Planning Potential

Other party name (if relevant): Bloor Homes

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP03

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: Strategic Policy SP03 – Housing Requirements by Designated Neighbourhood Area Following our previous representation, we are pleased that the Council have adopted our approach to express the housing figures required to meet demand as a 'minimum' amount, which aligns with the Government's objective to boost supply and to not limit the delivery of housing numbers beyond the required amount to support affordability. Fundamentally, Bloor Homes are in support of the wording of the policy.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury Manor Estate

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP03

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury Manor Estate

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP03

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.: Strategic Policy SP03: Housing requirement by Designated Neighbourhood Area Our comments to draft Policy SP03 are consistent with our comments made to the first Regulation 19 consultation draft. We welcome the fact that Land north and east of Exton Farm (Wood_28) is accounted for within the housing requirement figures breakdown. It is clear from the Regulation 19 plan that the site forms part of the proposed local plan allocations figure of 311 dwellings for the Woodbury area (including Exton). However, we continue to have concerns over overall housing requirement within which the designated neighbourhood area figures are derived, as set out in our response to draft Policy SP02 above.

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: However, we continue to have concerns over overall housing requirement within which the designated neighbourhood area figures are derived, as set out in our response to draft Policy SP02 above.

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: In order to represent the interests of 3West Group in relation to their interests in the Land north and east of Exton Farm (Wood_28), and other draft policies in the plan.

Full name: Cara Chambers

Organisation (where relevant): Stantec

Other party name (if relevant): KCS Development

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP03

1(b). Does your comment relate to one of the changes listed in the table above?: No

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: This policy relates to housing requirement by designated neighbourhood area. The total minimum housing requirement for Ottery St Mary is 493 dwellings over the plan period. It should be noted that Axminster, a settlement on the same level of the settlement hierarchy as Ottery St Mary, has a minimum requirement of 1,391 dwellings.

4.2.4 Whilst the identification of Ottery as a Main Centre is supported and sound, the overall level of development identified for Ottery is unsound for reasons set out below as Ottery can accommodate additional development.

Full name: Lewis Carr

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP03

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: NO

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Why are figures updated for calculations from 2025, but are for requirements from 2020 to 2042? Also, with this information, it should also include details how many have been built since 2020 as well. This is disingenuous and misleading. Intentionally so.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Clarify the calculations. Include total homes already added since 2020.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: No

4(a). If yes, and you wish to support this part of the Spatial Strategy chapter's compliance with the duty to co-operate, please use this box to set out your comments.: NO

4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Are these numbers agreed by any of the other stakeholders who will be affected by these decisions. Ottery has around 3,400 households based on the 2021 census. Adding 493 to that is an increase of almost 15%. There doesn't seem to be any justification for this number, or any assessment that the town can accommodate a 15% increase in demand on all services.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I don't trust the council / planning dept to act in by best interests.

Full name: Margaret Leppard

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP03

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: P35 Noted that Total (minimum) Housing Requirement (01/04/20 to 01/0431/03/42) - All supply sources (completions, commitments,

Seaton will deliver minimum housing requirement NB NOT NECESSARILY NEW HOMES!

Full name: Martin Stockley

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP03

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The housing "requirements" are not in fact requirements but simply a formulaic product handed down from Whitehall. So, there is no evidence presented of a real need for 493 additional houses in Ottery St Mary. At the time of writing December 2025) there are around 90 homes available for sale in Ottery St Mary (Rightmove, OnTheMarket) of which 25% are priced at or below £250,000.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The projected housing requirement should be justified on the basis of evidence, not Governmental fiat.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Rachel Danemann

Organisation (where relevant): Home Builders Federation

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP03

1(b). Does your comment relate to one of the changes listed in the table above?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy.

As neighbourhood planning is an entirely voluntary activity and as such is outside of the control of the Council, HBF do not believe housing delivered through Neighbourhood Plans is a reliable enough source of supply to contribute to the Housing Land Supply Position, and they should be viewed as providing additional capacity.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: As neighbourhood planning is an entirely voluntary activity and as such is outside of the control of the Council, HBF do not believe housing delivered through Neighbourhood Plans is a reliable enough source of supply to contribute to the Housing Land Supply Position, and they should be viewed as providing additional capacity.

Full name: Lucy Tyrrell

Organisation (where relevant): Lympstone Parish Council

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP03

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Housing requirement for Lympstone has risen from 323 to 350, an increase of 8%, or 27 more houses (compared to Round 1 Reg 19 consultation). As of January 2026, allocated sites account for 275 houses. NB Lympstone currently has more than four people per hectare (based on 2021 Census). It is the most populated parish in East Devon, excluding some small towns. For the period 2012 to 2026, in accordance with EDLP, Lympstone accommodated 40 dwellings, plus a further share of the 315 houses at Goodmores. Total dwellings in 2015 (excluding Goodmores) 949. 350 additional dwellings represent a 37% increase. This is an excessive increase for any village within East Devon.

SP04

Full name: Hilary Johnson

Organisation (where relevant): Dorset Council

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP04

1(b). Does your comment relate to one of the changes listed in the table above?: No

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: With regard to employment, Strategic Matter E01 explains the Plan's approach to meeting East Devon's employment needs, and paragraph 7.13 confirms that East Devon is providing for its own employment requirement; this position is also agreed by Dorset Council.

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): 3West Developments Ltd

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP04

1(b). Does your comment relate to one of the changes listed in the table above?: No

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: We note that Policy SP04 has been amended since previous consultation stages to provide further explanation as to why the proposed employment land provision exceeds the requirements identified within the Employment Development Needs Assessment (EDNA). In particular, the Council now seeks to justify this approach on the basis of addressing historic under-provision, and 3West Developments acknowledge that this amendment appears intended to respond to concerns raised in earlier representations.

2.15 We also reiterate our previous concern in relation to the proposed approach of meeting a proportion of Use Class E(g)(iii) light industrial needs through allocations associated with larger housing developments. The Plan has still failed to demonstrate that such locations are suitable for accommodating light industrial uses, nor has it been shown that this approach would be effective in meeting the operational requirements of such businesses. There is therefore a lack of proportionate evidence to justify this approach. In the absence of evidence on market demand, deliverability, compatibility with residential uses, and long-term viability, it has not been demonstrated that this strategy will deliver employment land and premises in the right locations over the plan period. For these reasons, whilst the amendments to Policy SP04 are noted, they do not adequately address the concerns raised in previous representations. The policy remains insufficiently justified and it has not been demonstrated that it represents an effective or evidence-led approach to meeting employment needs. As currently drafted, Strategic Policy SP04 is therefore not considered sound, particularly in respect of the tests of being justified and effective.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Our attendance is necessary to effectively discuss the points raised in these representations.

Full name: Claire Alers-Hankey

Organisation (where relevant): Greenslade Taylor Hunt

Other party name (if relevant): Waddeton Park Ltd

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP04

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.: This policy seeks to allocate a total of 175.16 hectares of land for employment use. The employment land total includes sites that have planning permission which have not yet been constructed and also 16.5 hectares of employment land at a second new community (now named Marlcombe), to be delivered by 2042. Given the very premature stage that the second new settlement is at, as set out within Policy WS01 of the consultation document, it is considered unrealistic that over 17 hectares of employment land could be delivered within this timescale. There is currently no agreed masterplan for the new settlement, and to expect extensive employment land to have been delivered within the next 17 years (by 2042) is an unachievable timeline. Furthermore, there has been an historic under delivery of employment land within East Devon, as evidenced within the Greater Exeter Economic Development Needs Assessment (EDNA). Therefore, EDDC should be seeking to allocate land well in excess of the 80 hectares mid-point clean growth scenario set out within the EDNA. Paragraph 6.2.2 of the EDNA states, 'The West End of East Devon is the most popular location within Greater Exeter for industrial occupiers. This is due to accessibility to the regional road network and the availability of both serviced land and good quality second-hand options. It is evidence that there is a large quantity of unsatisfied demand.' The new National Planning Policy Framework (NPPF) sets out in paragraph 85, an ambitious strategy with significant weight attributed to the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken to economic development should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. The West End is identified as a strategically important location for economic growth to serve the needs of both EDDC

but also Exeter City, given the proximity to Exeter. The policy as currently drafted is relying on insufficient and unsuitable sites to come forward within an unrealistic time frame. Land north of Sowton has undergone a robust pre-planning analysis, to inform Waddeton Park Ltd of the constraints and feasibility of development in this location. An Outline Planning Application for the development of this site has recently been submitted and is currently awaiting validation. The relevant planning reference is 25/2620/MOUT. The site is in a sustainable location, with close proximity to the regional transport corridor of the M5 and A30 and it is achievable to deliver the site for economic development within the Plan period. Constraints identified with the site are capable of being mitigated through the design process. Therefore, this site should be included as an allocated site for employment within the Local Plan, as previously proposed in the draft Local Plan.

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: This policy seeks to allocate a total of 175.16 hectares of land for employment use. The employment land total includes sites that have planning permission which have not yet been constructed and also 16.5 hectares of employment land at a second new community (now named Marlcombe), to be delivered by 2042. Given the very premature stage that the second new settlement is at, as set out within Policy WS01 of the consultation document, it is considered unrealistic that over 17 hectares of employment land could be delivered within this timescale. There is currently no agreed masterplan for the new settlement, and to expect extensive employment land to have been delivered within the next 17 years (by 2042) is an unachievable timeline. Furthermore, there has been an historic under delivery of employment land within East Devon, as evidenced within the Greater Exeter Economic Development Needs Assessment (EDNA). Therefore, EDDC should be seeking to allocate land well in excess of the 80 hectares mid-point clean growth scenario set out within the EDNA. Paragraph 6.2.2 of the EDNA states, 'The West End of East Devon is the most popular location within Greater Exeter for industrial occupiers. This is due to accessibility to the regional road network and the availability of both serviced land and good quality second-hand options. It is evidence that there is a large quantity of unsatisfied demand.' The new National Planning Policy Framework (NPPF) sets out in paragraph 85, an ambitious strategy with significant weight attributed to the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken to economic development should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. The West End is identified as a strategically important location for economic growth to serve the needs of both EDDC but also Exeter City, given the proximity to Exeter. The policy as currently drafted is relying on insufficient and unsuitable sites to come forward within an unrealistic time

frame. Land north of Sowton has undergone a robust pre-planning analysis, to inform Waddeton Park Ltd of the constraints and feasibility of development in this location. An Outline Planning Application for the development of this site has recently been submitted and is currently awaiting validation. The relevant planning reference is 25/2620/MOUT. The site is in a sustainable location, with close proximity to the regional transport corridor of the M5 and A30 and it is achievable to deliver the site for economic development within the Plan period. Constraints identified with the site are capable of being mitigated through the design process. Therefore, this site should be included as an allocated site for employment within the Local Plan, as previously proposed in the draft Local Plan.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The policy fails to provide for employment land growth from Exeter City.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: James McMurdo

Organisation (where relevant): McMurdo Land Planning and Development Ltd

Other party name (if relevant): Stuart Partners Ltd

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP04

1(b). Does your comment relate to one of the changes listed in the table above?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: McMurdo Land Planning and Development Ltd on behalf of Stuart Partners Ltd.

Objection (maintained) Reasons (as per previous representations)

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

• Remove non-strategic (i.e. small sites) from employment land allocations (many of which are not proven to be deliverable in any case) and

• Remove employment land allocations from national landscapes (which are not market facing in any case) and

• Allocate more employment land away from national landscapes and to meet EDDC's, and ECC's unmet, needs, on the area free from development constraints, the "West End" of the district, including expanding Hill Barton early in the plan period to meet clearly evidenced pent up demand in the logistics, waste, and energy sectors.2

2 We will present detailed expert evidence on these matters as the plan progresses to EiP

Full name: James McMurdo

Organisation (where relevant): McMurdo Land Planning and Development Ltd

Other party name (if relevant): Stuart Partners Ltd

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP04

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: McMurdo Land Planning and development Ltd on behalf of *** Personal details have been removed ***

Objection (maintained) Reasons (as per previous representations))

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

• Remove non-strategic (i.e. small sites) from employment land allocations (many of which are not proven to be deliverable in any case) and

• Remove employment land allocations from national landscapes (which are not market facing in any case) and

• Allocate more employment land away from national landscapes and to meet EDDC's, and ECC's unmet, needs, on the area free from development constraints, the "West End" of the district, including expanding Hill Barton early in the plan period to meet clearly evidenced pent up demand in the logistics, waste, and energy sectors.2

2. We will present detailed expert evidence on these matters as the plan progresses to EiP

Full name: Andy Shepley

Organisation (where relevant): OG Group Ltd

Other party name (if relevant): Rubix Strategic Ltd

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP04

1(b). Does your comment relate to one of the changes listed in the table above?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Supporting economic growth

4.11 Paragraph 67 of the NPPF sets out that the housing requirement may need to be greater than the minimum local housing need where this supports economic growth. This also arises from paragraph 86c which requires that Local Plans address potential barriers to investment such as inadequate housing. R001v1 | NT | January 2026 9

4.12 The emerging Local Plan repeatedly identifies that it is aiming for “clean-growth” and thereby relies upon the clean-growth economic forecast as set out in Strategic Policy SP04.

4.13 As set out in Figure 4 of the Local Housing Needs Assessment: Jobs and Workers Balance Assessment, East Devon would have 792 fewer workers than would be necessary to support the clean-growth forecast over the plan period if existing commuting rates were maintained.

4.14 However, rather than providing 80ha of employment land required under this forecast according to Strategic Policy SP94, the policy seeks to provide for 175.16ha of employment land, more than twice as much as the forecast economic growth would require. Accordingly, it would be expected that far greater economic growth will occur than envisaged by the clean-growth forecast and as a consequence there will be a need for far more workers than envisaged by this forecast. The necessary consequence of this is that without increased rates of housing delivery, there will be an even greater disparity between the number of jobs planned for and the labour supply. In effect, the emerging Local Plan is planning for far fewer homes than would be necessary to support its economic ambitions contrary to paragraph 86c of the NPPF.

4.15 There are a number of solutions to this inconsistency, including planning for a greater level of housing to support economic ambitions, or reducing the proposed level

of employment allocations, or a combination of these to ensure that there will be a sufficient labour supply to support the economic ambitions of the area.

Full name: Elliot Jones

Organisation (where relevant): Planning Potential

Other party name (if relevant): Bloor Homes

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP04

1(b). Does your comment relate to one of the changes listed in the table above?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Strategic Policy SP04 – Employment provision and distribution strategy The employment allocation set out within this policy remains unchanged in principle and is now underpinned by more robust evidence through an updated Economic Development Needs Assessment, which have informed the proposed quantum of delivery. This robust, evidence-led approach is welcomed and supported. Bloor Homes (Exeter) Limited January 2026 www.planningpotential.co.uk Page 3 Copyright © Planning Potential 2026 However, our previous representation stated that there was a need for greater flexibility in employment uses to reflect the dynamic and evolving economic market. Many viable employment sectors do not fit neatly within the traditional framework of manufacturing, logistics, and office-based uses. Instead, the market increasingly comprises diverse sectors that play a critical role in delivering truly mixed-use and sustainable developments. Accordingly, we maintain that the policy lacks sufficient flexibility to give equal weight to non-E Class employment uses. It is recommended that the policy includes caveats allowing for alternative employment uses or variations in size where supported by technical evidence. This adaptability is essential to respond to economic changes, technological advancements, and evolving work patterns, including hybrid and remote working models. Embedding flexibility within the policy framework will not only future-proof employment land but also support the creation of vibrant, resilient places that integrate employment with housing, services, and green infrastructure. This approach aligns with the principles of sustainable growth and the Government's direction of travel set out in the NPPF December 2025 consultation, which advocates a non-prescriptive stance and encourages policies that enable a broad range of employment opportunities.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified

above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: In light of the above considerations, we reiterate our comments but even more so considering the current NPPF consultation, to suggest that the wording of the policy changes to become more flexible and account for the following:

• Give equal weight to non-E-class employment uses in the policy.

• Include a policy caveat allowing flexibility where technical evidence shows a need for alternative employment uses or different size requirement; and

• Ensure the policy framework remains adaptable to economic changes, including technological advancements and evolving work patterns. Bloor Homes therefore maintain their objection to the current wording of this policy.

Full name: Sarah R Smith

Organisation (where relevant): Rapleys LLP

Other party name (if relevant): The Crown Estate

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP04

1(b). Does your comment relate to one of the changes listed in the table above?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: TCE supports the general principles of the economic vision set out in paragraphs 3.20 – 3.24. Paragraph 3.29 notes that employment in Tier 1-4 settlements aims to meet local needs and improve self-containment – TCE supports this aim. The Plan goes on to say that new jobs will be required alongside new housing on larger development allocations – in the context of Axminster, the Policy SP04 then allocates 1ha of E(g)(iii) to site GH/ED/80a, where (iii) is industrial use (which can be caried out in any residential area without causing determinant to the amenity of the area). Whilst TCE supports the principle behind the allocation, the reference to E(g)(iii) in Policy SP04 is at odds with the actual wording and requirement within SD02 - GH/ED/80a, which requires a community hub incorporating workspace, café/shop meeting space.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: TCE would prefer to see the reference in Policy SP04 revised to reflect the requirement within SD02 - GH/ED/80a which reflects the Vision that TCE has for the development of the site – a wider E class definition would be more appropriate than the E(g) restriction.

Full name: George Lewis

Organisation (where relevant): Savills

Other party name (if relevant): FWS Carter and Sons

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP04

1(b). Does your comment relate to one of the changes listed in the table above?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Savills on behalf of *** Personal details have been removed ***

2. Securing economic growth is about delivery. It requires a planning system which enables and facilitate growth in the locations which fit with a diverse range of business strategies and growth plans. A location which suits one business will not necessarily suit others and a wide range of employment land opportunities and flexibility in the land market is therefore required in order to maximise economic growth.

3. There has been a large amount of land allocated for employment purposes within East Devon since the adoption of the previous Local Plan. The Council's Employment Land Review (Spring 2024) indicates that the combination of sites under construction, with planning permission, and allocated totals 181.52 ha. Paragraph 6.3 of the Statement expands upon this stating that: "Most of the allocated land is in the West End of the District and this is a focal point for future development and job creation. Key sites include: a) Skypark Business Park with 29.60 hectares remaining. b) Science Park provision of 13.34 hectares of land remaining. c) Exeter logistics park with 11.88 hectares of vacant land. d) Exeter Airport Business Park Phase 2 with 7.54 hectares. e) Policy provision at Cranbrook for 10.04 hectares of employment land. f) Exeter Logistics

Park, although not mentioned in policy in the local plan can be expected to be developed for B8 use and has 11.88 hectares of remaining vacant land".

4. Whilst there is a large quantity of land allocated for economic growth, the location and type of that land will not suit all businesses. It is for this reason that, despite the availability of land elsewhere in East Devon, the owners of the Greendale Business Park receive regular enquiries from local businesses for space. Since there are no vacancies within the Business Park (as evidenced by the Employment Land Review – ECN004 – Pages 68-73), these enquiries have to be rejected.

5. At a time of stagnant economic growth and national Government concerns over productivity, the Local Plan policies and proposals must support a wide range of employment opportunities. This needs to include not only the high profile business parks such as Skypark and the Science Park, but the more affordable employment locations across the authority area.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: In other representations we make the case that this necessitates two changes to the Local Plan:

• The allocation of employment land at the Greendale Business Park. This location is: o capable of expansion within environmental limits as demonstrated by our Omission Site representation; o a popular location for businesses as demonstrated by the Employment Land Review which shows that there are no vacancies; and o can deliver new affordable employment floorspace which is powered by onsite renewable energy generation which supports the Council's sustainability objectives and provides below market rate running costs for businesses.

• Increased flexibility in Policy SE02 to allow for the expansion of existing businesses and business parks where there is a demonstrable demand.

Full name: Andrew Ross

Organisation (where relevant): Turley

Other party name (if relevant): Bloor Homes Exeter and Stuart Partners Ltd

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP04

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Strategic Policy SP04: Employment provision and distribution strategy [Modification Required]

2.15 The new employment land being proposed as part of Policy SP04 allows for some flexibility and choice, which is supported and is a positive overall approach, although the plan could do more to positively meet current and future employment land needs. It is essential that the plan positively makes provision for employment land to be available in the right locations and at the right time across East Devon (to respond to the demands and needs of the market).

2.16 It is also unclear how the plan has considered the potential for there to be unmet or displaced employment land needs arising from within the City of Exeter, which the West End of East Devon would be well placed to meet. Indeed, as part of the Exeter Local Plan Examination, the Inspectors are holding initial hearings and, in their initial 'Matters, Issues and Questions' document, they have raised the following: "The Council states that it has demonstrated cooperation on strategic matters with East Devon District Council (EDDC) as shown in the agreed Statement of Common Ground (SoCG). However, there remains disagreement on strategic matters relating to employment land. The Exeter Plan relies on land outside its boundaries for employment, in particular land within East Devon and Teignbridge. EDDC have stated that the employment land within their local authority boundary would only meet their needs and not those of Exeter."

2.17 As with respect to the level of future housing development, there will remain a need to retain flexibility and act responsively (as the Examination of the Exeter Local

Plan takes place in parallel with the preparation and submission of this plan) in the interests of planning for this important part of Devon and wider South West.

2.18 With respect to the employment land proposed to be provided as part of the new community development (Strategic Policy WS01), it is not possible to give unequivocal support absent the detailed master planning and viability work that is required to support this proposal and as is covered in our separate submissions on this part of the plan, however, there is a clear demand for employment in this part of East Devon and the principle of employment land and development to come forward in step with homes is supported.

2.19 The Plan should recognise that there are opportunities to deliver employment development on land within and around the new community allocation (adjacent to the existing business park at Hill Barton) early in the plan period – this could form part of the masterplan and phasing details referenced under other polices for the new community, where opportunities for "early wins" are encouraged, where additional employment land and local jobs can be provided as part of an expansion to Hill Barton Business Park in a way that is complementary to (and does not prejudice) the delivery of the new community development, including in respect of the masterplan and key elements of infrastructure. This potential opportunity should form part of the Council's ongoing masterplan, phasing and delivery review and be presented as part of the further/future detail and evidence for this area. Indeed the evidence may conclude that there is potential for this element (new large format employment development) to take place

within the southern part of the new community allocation area (on land at and adjacent to the Hill Barton Business Park) in an independent but complimentary way to the overall new community scheme, where this is shown to help enhance and not prejudice this wider opportunity coming forward. This would include having regard to any interfaces with surrounding land, and the provision of appropriate access and transport links (to site boundaries) such that these can "plug in" to the future development, should this be required (flexibility is key).

2.20 It is also noted that the quantities of land that are specified in Strategic Policy SP04 (for employment uses) are not clarified to be either maximum or minimum amounts. Given the overall approach to provide flexibility (as part of providing for a range and choice of land options) this may not be inappropriate, but it should also be clarified that the very specific figures provided are not a ceiling, nor should they be read to otherwise constrain appropriate employment land opportunities from being brought forward. There is an opportunity to further clarify this provision as part of the work that would be required to progress the delivery of Marlcombe, including masterplanning and phasing work to understand how the proposals for "around" 16.5ha of employment land

that are specified for the new community, including how that quantum is to be provided for within the new community, noting opportunities for employment provision on and around Hill Barton Business Park, within new areas of employment within the new community, and the opportunities for employment provision with the town centre and neighbourhood centres that are expected.

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP04

1(b). Does your comment relate to one of the changes listed in the table above?: No

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: Combe Estate support the allocation of their land,

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: COMBE ESTATE REPRESENTATIONS ON THE EAST DEVON LOCAL PLAN (2020 – 2042) REGULATION 19 CONSULTATION DRAFT (MARCH 2025) BY BELL CORNWELL LLP 1 INTRODUCTION Combe Estate are long standing generational owner of large areas of agricultural and forestry land within East Devon. Their land interests are primarily in Honiton and Gittisham. As part of its interests, the Estate undertakes residential and commercial development and are the owners of Combe Garden Centre. The Estate therefore has a wide range of land and business interests within the district. The Estate has provided representations to the Council as part of previous consultations on the draft local plan and via the related call for sites process. Given the nature of their long-standing presence in the district, The Estate is an important local stakeholder with allocation interests within the proposals in the East Devon Local Plan for future development in the district. Against this background, Bell Cornwell LLP has reviewed the policies and information set out in the East Devon Local Plan (2020 -2042) Regulation 19 Consultation Draft and makes the following representations. CHAPTER 3. THE SPATIAL STRATEGY Strategic Policy SP04: Employment Provision and Distribution Strategy Combe Estate supports the overall approach of Strategic Policy SP04, which sees their land at Gitt_03 and Gitt_04 allocated for employment use. The Estate support the technical evidence base which has determined the quantum of new employment land proposed for Honiton. It is noted that this site is currently allocated in the adopted Local Plan, and the land within our client's control is entirely available for development. There is strong support for the allocation and our client is committed to seeing this allocation delivered. However, we note that within policy SP04 the uses allocated on designated sites are for B2, B8 and E(g) use. Whilst Combe Estate clearly support this allocation in principle, it is disappointing that the allocations or policy text within SP04 does not clearly allow for a wider disposition of land uses. For example, paragraph 3.21 of plan states that, "Particular attention is given to emerging technologies, green industries,

and adapting to changes like increased homeworking and artificial intelligence." However, there appears to be very little, if any, content within the policy that makes provision for a wider range of employment opportunities beyond traditional office and industrial uses. COMBE ESTATE REPRESENTATIONS ON THE EAST DEVON LOCAL PLAN (2020 – 2042) REGULATION 19 CONSULTATION DRAFT (MARCH 2025) BY BELL CORNWELL LLP 2 As such, Combe Estate would suggest that a wider range of employment generating uses should be defined within Policy SP04 to allow for a changing employment market and to ensure that East Devon District as a whole is able to respond and provide employment accommodation that reflects a modern economy. In summary, while Combe Estate support the allocation of their land, there needs to be greater acknowledgement of the changing nature of employment activity, with amendments to policy to include:

• Giving equal/greater weight to other Class E uses (not just E(g) within in the policy.

• Include a policy clause that would allow flexibility to deliver more than 'traditional' employment uses where there is evidence to suggest this is appropriate (e.g. a need for other leisure, tourism, community uses)

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: In summary, while Combe Estate support the allocation of their land, there needs to be greater acknowledgement of the changing nature of employment activity, with amendments to policy to include:

• Giving equal/greater weight to other Class E uses (not just E(g) within in the policy.

• Include a policy clause that would allow flexibility to deliver more than 'traditional' employment uses where there is evidence to suggest this is appropriate (e.g. a need for other leisure, tourism, community uses)

Full name: Steve Havers

Organisation (where relevant): National Highways

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP04

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Strategic Policy SP04 sets out proposed employment provision and a distribution strategy. Compared to the First Regulation 19 consultation, we note that small reductions in employment provision are proposed at Marlcombe and across other allocations. Despite the reductions, the scale and type of employment targeted for the West End will generate additional commuter travel demands and longer distance freight journeys via the SRN. Employment land and potential job creation at Marlcombe will remain a small percentage of the sub-regional economy, and the internalisation of live/work journeys may be limited given sub-regional employment opportunities and the gravitational pull of Exeter.

SP05

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): 3West Developments Ltd

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP05

1(b). Does your comment relate to one of the changes listed in the table above?: No

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.:

2.17 Whilst 3West Developments agree with the principle of this policy, 3West Developments object to the current policy wording, which appears to restrict and discourage Neighbourhood Plans from allocating sites beyond settlement boundaries.

2.18 The housing numbers within the Council's strategic policies and housing distribution should not represent a ceiling for growth. Neighbourhood Plans must be in general conformity with the strategic policies of the development plan in force (in order to meet the basic conditions).

2.19 Should updated evidence be prepared in support of a future Neighbourhood Plan that suggests that there is a local unmet need for additional housing (beyond that identified within the adopted LP), the Council should not prevent additional sites from being allocated within the Neighbourhood Plan.

2.20 As currently worded, therefore, it is considered that this Strategic Policy is not sound as it does not align with National Policy and the Government's overarching objective of significantly boosting the supply of homes (NPPF; Paragraph 61).

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Our attendance is necessary to effectively discuss the points raised in these representations.

Full name: Emma Morrison

Organisation (where relevant): Pegasus Group

Other party name (if relevant): The Co-op Group Food Ltd.

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP05

1(b). Does your comment relate to one of the changes listed in the table above?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: It is confirmed that "Within the settlement boundaries defined on the Policies Map development will be supported in principle. This does not mean that all development will be acceptable within settlement boundaries: proposals will be considered on their own merits having regard to other policies in this plan and any made neighbourhood plan".

4.14. Co-op do not consider that the second sentence is necessary, as it simply confirms the legal requirements to consider all policies within the Plan. This element is not included within all policies, so why this specific policy?

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: In order to be sound, the second sentence needs to be removed from this Policy.

Full name: John Connolly

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP05

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Objection to change of Settlement Boundary at Bystock Village, Brixington Ward, Exmouth *** Personal details have been removed ***, Coach House, Old Bystock Drive, Exmouth, EX8 5EQ 1. Introduction

I object to the proposed change of settlement boundary at Bystock Village, Exmouth.

The proposed move of the settlement boundary is a material consideration that is based on factually incorrect and false Evidence presented by the Local Planning Authority (LPA). In addition, the proposed change materially undermines the existing heritage protection policies contained in the made Exmouth Neighbourhood Plan (ENP).

In developing an emerging Local Plan that proposes conflict with a made Neighbourhood Plan, the

LPA must demonstrate:

1. Strong Evidence Base: The LP's emerging policies are backed by robust, up-to-date evidence demonstrating the need for change.

2. Demonstrate Strategic Need: Prove that overriding the specific heritage elements in the ENP is essential to meet wider strategic objectives (e.g., housing,

infrastructure) that the ENP failed to adequately address, ensuring the emerging LP is deliverable.

East Devon District Council (The LPA) has done neither of these things. The LPA Evidence:

1. has mis-applied their own boundary criteria to justify the settlement boundary change. This is a material error in fact.

2. contains factually incorrect assertions, conflicting and misleading statements. These falsehoods constitute a material error in fact.

3. ignores the material fact of the clear and specific heritage protection policies contained in the made ENP which have been specifically reinforced by previous Planning Inspectorate decisions. This omission is contrary to Government guidance on Plan Making.

4. has failed to address or justify the wholly avoidable policy conflicts between the emerging Local Plan and the made ENP and within the ENP itself. This is contrary to Government guidance on Plan Making.

5. creates no new strategic supply housing opportunities attributable to this boundary change and adds no value to, nor enables, any other strategic goal within the emerging Local Plan.

6. fails to demonstrate how a change that adds no value to the emerging LP should take precedence over existing ENP heritage protection policies.

These errors in material facts and omissions render the boundary change proposal Unsound.

The whole issue can be resolved by returning the settlement boundary to the position shown in Local Plan 2013-2031. This restitution requires no changes to any other aspect of the emerging Local Plan nor to the made ENP.

2. LPA Evidence to justify Settlement Boundary Change

A change in settlement boundary is a material change to a Local Plan and must be justified by appropriate, accurate and factually correct Evidence.

The Evidence that the LPA offers to justify the proposed change to the settlement boundary at Bystock Village is in Evidence and Examination Library; Section 3; Key Supporting Document KSD-010(rev) – Settlement Boundaries; paragraph 13.5 pg 39 et seq.

Th text in paragraph 13.5 represents the only Evidence that the LPA presents to justify the settlement boundary change.

For ease of reference, the entirety of paragraph 13.5 is shown below:

13.5 Consultation was undertaken on the proposed settlement boundary as part of the draft local plan in 2022 and a number of representations were received, including site specific comments related to the inclusion of land around Bystock Village. It was felt that this conflicted with criteria KSD-010(rev) Settlement Boundaries 42 B2 and B3 of the methodology because the areas are specifically protected by the Exmouth Neighbourhood Plan and are not well related to the built form of the settlement. Policy EN1 of the Neighbourhood Plan includes a clause that the areas defined in Figure 7 (replicated below) are locally important and distinctive areas outside of the settlement boundary where only minor proposals associated with existing buildings are likely to be acceptable. Although the area is on the periphery of Exmouth, it is considered to be

physically and functionally related to it and therefore comply with criteria B2. This link will be further strengthened by proposed allocations. Criteria B3 relates to 'allocations' in a made neighbourhood plan and so is not applicable in this case. However, areas defined on Fig.7 of the neighbourhood plan that lie outside of proposed allocations are largely excluded from the settlement boundary.

The commentary below demonstrates that the LPA Evidence contains factual errors and conflicting assertions, omits material facts, and makes false and misleading statements. These errors render the proposal to move the settlement boundary at Bystock Village Unsound.

2.1 Intentional mis-statement of material facts

The responses from myself and others to the first Regulation 19 consultation identified several factual errors in the LPA Settlement Boundaries document KSD-010 – Settlement Boundaries.

The nature of the errors is very easy to verify, and the LPA is legally required to consider all representations made during a Regulation 19 consultation.

The identified errors have been repeated in the LPA final documents being presented as part of the Evidence file for the Planning Inspectorate (KSD-010(rev)).

It is therefore reasonable to conclude that the LPA is intentionally mis-stating material facts and is basing the change of settlement boundary on false Evidence. This is enough to render this element of the emerging LP Unsound.

3. The factual errors in the Evidence

Paragraph 13.5 of KSD-010(rev), quoted above, contains two material facts that are wholly mis-stated by the LPA:

1. The boundary change is justified by the LPA, on the basis that the newly enclosed area complies with settlement boundary criteria B2

2. That the newly enclosed area is further justified by “This link will be further strengthened by proposed allocations”.

3.1 Settlement Boundary criteria

Paragraph 13.5 states:

“Although the area is on the periphery of Exmouth, it is considered to be physically and functionally related to it and therefore comply with criteria B2.”

The Settlement Boundary Methodology Criteria B2, (KSD-010(rev) Appendix A, pg 97), states that areas should be included within settlement boundaries if they contain:

“Built and extant planning permissions for community facilities, such as religious buildings, schools and community halls which are considered to be physically and functionally related to the settlement.”

This criterion is very specific and applies only to “community facilities that are well related to the settlement”. The part of Bystock Village proposed to be included in the new settlement boundary has no community facilities, religious buildings, schools or community halls. Neither extant nor with planning permission.

The nearby Bystock Court is not included within the new settlement boundary. Bystock Court is not a community facility, being a private care home for adults with learning difficulties. The new settlement boundary does not improve the access to Bystock

Court and, given that Bystock Court is excluded from the settlement boundary in the emerging LP, there is not even a vaguely credible argument that Criteria B2 applies.

The Evidence document appears to selectively quote just the last part of Criteria B2 and appears to be basing its inclusion purely on physical proximity to the existing settlement boundary, not the actual wording of Criteria B2.

The assertion in the Evidence that any of the included site complies with Criteria B2 is a factual error and means that the inclusion is not based in accurate fact.

This incorrect assertion has been used by the LPA throughout the Plan Making process; thus, it also means that the Strategic Planning Committee, Consultees including the public and Planning Inspectorate have been factually misinformed all the way through the Plan development process, rendering the Evidence Unsound.

3.2 Relationship with nearby allocations

Paragraph 13.5 excludes Boundary Criteria B3 as being non-applicable. Criteria B3 applies to:

"Site allocations identified in the draft local plan, or any made neighbourhood plan, for residential, community or employment uses which are physically and functionally related to the settlement."

This is accurate as there are no site allocations at Bystock Village in either the emerging Local Plan, or made ENP, and the site therefore does not meet the criteria for inclusion within the settlement boundary.

However, paragraph 13.5 then justifies the inclusion of Bystock Village because:

"this link will be further strengthened by proposed allocations."

There are no Allocations near Bystock Village, as can be seen in Chapter 5.3 of the Local Plan.

During the allocations screening process, the LPA considered and rejected two adjacent Allocations, EXMO_07 Bystock Court and EXMO_21 Land East of Bystock Court (Evidence section 11 Site Allocations SAL-022 Exmouth, map on pg 4).

EXMO_07 was rejected after detailed site evaluation on the grounds of heritage protections and environmental protection. (Evidence section 11 Site Allocations SAL-022 Exmouth pg 36).

EXMO_21 was rejected after a site specific evaluation on the grounds of wildlife and environmental concerns. (Evidence section 11 Site Allocations SAL-022 Exmouth pg 172).

The area of Bystock Village proposed for enclosure by the new boundary was never considered as an Allocation and is not included in the Allocations defined in the Evidence Chapter 5.3 of the Local Plan nor in any of the screening processes described in Sections 4 Housing or 11 Site Allocations of the emerging Local Plan.

As can be seen on the plan on pg 39 of KSD-010(rev) there are no allocations that connect to the proposed settlement boundary at Bystock Village. The nearest is EXMO-20 which lays on the east side of St Johns Road, and which has no connection at all, nor is access possible via Bystock Village. (Evidence section 11 Site Allocations SAL-022a(rev) Exmouth pg 26).

The proposed boundary change at Bystock Village changes a currently smooth boundary into a crude penetration into the surrounding countryside. (see Fig 5 of this document).

The statements related to nearby allocations are therefore factually incorrect, misleading and internally inconsistent.

The Settlement Boundaries Evidence statement that “This link will be further strengthened by proposed allocations.” is false, and the Evidence is unsound.

3.3 Physically and functionally related to

The LPA asserts that Bystock Village is “physically and functionally related” to Exmouth settlement. This general definition is not among the specific criteria defined by the LPA as meriting inclusion within the settlement boundary (KSD-010(rev) Appendix A). However, it is worth examining earlier descriptions of Bystock Village made by the LPA.

In 2014 and 2019 the LPA refused planning applications (13/2364/FUL and 19/0097/OUT) within Bystock Village on the grounds that the sites lay outside the Settlement Boundary. Both applications were also rejected on Appeal. In both cases the LPA delegated officer report described Bystock Village as:

“.....former Bystock Estate buildings, of a more irregular layout that is rather more semi-rural in

character, in contrast to the planned layout and greater density exhibited in the more recent estate development which is of a more suburban character and typical of more modern edge of settlement expansion.”

3.3 Physically and functionally related to

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“.....former Bystock Estate buildings, of a more irregular layout that is rather more semi-rural in

character, in contrast to the planned layout and greater density exhibited in the more recent estate development which is of a more suburban character and typical of more modern edge of settlement expansion.”

3.3 Physically and functionally related to

The LPA asserts that Bystock Village is “physically and functionally related” to Exmouth settlement. This general definition is not among the specific criteria defined by the LPA as meriting inclusion within the settlement boundary (KSD-010(rev) Appendix A). However, it is worth examining earlier descriptions of Bystock Village made by the LPA.

In 2014 and 2019 the LPA refused planning applications (13/2364/FUL and 19/0097/OUT) within Bystock Village on the grounds that the sites lay outside the Settlement Boundary. Both applications were also rejected on Appeal. In both cases the LPA delegated officer report described Bystock Village as:

“.....former Bystock Estate buildings, of a more irregular layout that is rather more semi-rural in

character, in contrast to the planned layout and greater density exhibited in the more recent estate development which is of a more suburban character and typical of more modern edge of settlement expansion.” Nothing has changed since these reports and Bystock Village remains wholly unlike the built environment of Brixington Ward.

Bystock Village shares almost no built environment with urban Exmouth, being served by an unadopted, private, single track driveway with no passing places, no streetlights, no pavement and only partially shared drainage.

Bystock Village more closely resembles the area of Exmouth described in Para 13.2 of KSD-010(rev)

which was excluded on the grounds:

“here lower density, detached housing is interspersed with open fields. Parts of this road lack footways and are unsuitable for pedestrian use. It is therefore excluded from the settlement boundary as indicated on the map below, as it was from the adopted local plan.”

4. Failure to properly consider material facts in the made Exmouth Neighbourhood Plan

Paragraph 13.5 notes that the LPA knows that the made ENP has specific heritage protection policies. However, the Evidence then completely mis-states the nature and extent of the protections and ignores the policy conflict arising from the change in settlement boundary.

4.1 Bystock Village definition

In creating the ENP and in compliance with para 204 of the NPPF, Exmouth Town Council took great care to ensure that Bystock Village was demonstrably of special social, architectural and historic interest. The ENP Evidence for conservation of Bystock Village includes over 400 pages of specific, published, detailed historic research into the history of the Bystock and neighbouring Marley Estates.

The LPA were a statutory consultee to the ENP Heritage protection provisions for Bystock Village, prior to their adoption. There is no evidence that circumstances have changed since the LPA agreed its inclusion in the ENP and the LPA offers no evidence to show that circumstances have changed.

While most buildings within Bystock Village are unlisted, the NPPF is clear that damage and harm to non-designated heritage assets must also be carefully considered (NPPF 2024 para 216).

In the ENP, Bystock Village is a specifically delineated area that the LPA wholly fails to acknowledge in its Evidence. Figure 14 in the ENP shows the mapped area of Bystock

Village that the ENP heritage protections specifically apply to. The LPA Evidence ignores this important ENP plan, which constitutes a material fact (made ENP; Policy EN1, pg 29 and Fig 7, pg 54). The ENP heritage protection area is designed to protect not only the Grade 2 listed Bystock Court, but also the original estate buildings that have group value and that, together, preserve an intact working estate that dates from at least the early 1800's. The earliest recorded existence of Bystock Estate is the early 1700's when the *** Personal details have been removed *** family are recorded as owning the lands and property. The current layout of estate houses has been in place since the early 1900's.

Most of the estate houses pre-date the current Bystock Court, evolving in form from the early 1800's. The octagonal core of the Old Dairy has been there since the very early 1800s and possibly a little earlier. Bystock Village most certainly exhibits a "unique sense of place".

The spatial integrity of the layout of Bystock Village is unique in East Devon. Enabling future infill buildings will destroy the historic context.

4.2 Heritage protections for Bystock Village in the ENP

The made ENP says of Bystock Village:

"The Neighbourhood Plan has highlighted these areas in a policy, as evidenced in the community consultation process. There is proportionate, robust community evidence behind these choices. The

community is clearly indicating that these areas are the last place they want to see development on." (made ENP, pg 29, para 10)

The ENP goes on to say:

“The following sites (including Bystock Village) have been identified as locally important and distinctive areas outside the Built Up Area Boundary (BUAB) where only minor proposals, associated with existing residential or business premises, are likely to be supported” (made ENP Policy EN1. Para 3, pg 29).

The Planning Inspectorate have supported and clarified the meaning of the ENP policies. In refusing a 2019 Planning Appeal (APP/U1105/W/19/3227752 dated 14 August 2019) the Planning Inspectorate said:

“The ENP also specifically identifies the Bystock House Estate as a locally important and distinctive area outside the BUAB where only minor proposals associated with existing residential or business premises, are likely to be supported. Whilst the term “minor proposals” is undefined, there is no suggestion that it should include the creation of new residential uses .....” (Planning Inspectorate Appeal refusal APP/U1105/W/19/3227752)

In April 2024, Exmouth Town Council published a “Neighbourhood Plan – Evidence base and policy development report”. This report was intended to inform a future update of the ENP. It made no recommendations for any changes to heritage protections at Bystock Village.

In combination, the ENP policies and the prior decision of the Planning Inspectorate create a material set of policy considerations that the LPA must consider if they propose to change the planning status of this heritage area. Based on paragraph 13.5, the LPA has ignored these material facts and provides no argument at all to justify a change.

4.3 Destructive impact of proposed boundary change

Paragraph 13.5 makes the following assertion:

“However, areas defined on Fig.7 of the neighbourhood plan that lie outside of proposed allocations are largely excluded from the settlement boundary.”

Given that there are no allocations in the area covered by Figure 7, a reasonable interpretation of the LPA Evidence wording is that Bystock Village is excluded from the

Settlement Boundary. This is demonstrably not true, and this Evidence statement is Unsound.

While Figure 7 (KSD-010(rev), pg 42) of the ENP shows the full extent of the former Bystock Estate, it is wholly misleading to imply that this means that the heritage protections remain intact. The actual change is clearly shown when one plots the proposed settlement boundary onto the ENP plan of the protected area of Bystock Village. It is clear from this that the emerging LP spatial policy would result in the evisceration of the integrity of Bystock Village, through a process of enabling garden grabbing. The LPA Evidence specifically ignores this, instead, offering an easily misunderstood generalization in relation to figure 7. It is noteworthy that a Brixington Councillor enquired specifically about this proposed boundary change. He reports that he was told, by the LPA Local Plan team, that Bystock Village was excluded from the boundary change.

5. Policy conflicts

The proposed boundary change converts Bystock Village from an area where development is precluded (current LP Policies 6 and 7), to one where development is assumed to be acceptable (emerging LP policy 6). This is specifically deleterious to the heritage protection measures in the made ENP.

The change also creates policy conflict within the ENP. The current ENP spatial policy EN1 mirrors that of the current LP, with development outside settlement boundaries prohibited unless specifically allowed by other policy.

The new boundary would create a situation where the ENP both allowed development under its spatial policy and prohibited it under its tested heritage protection policies.

The Evidence fails to identify any of these policy conflicts and offers no Evidence to demonstrate that they are justified by a Strategic need in the emerging Local Plan.

6. Zero benefit to proposed change

The proposed boundary change adds no new housing to the calculated strategic supply of housing, nor does it enable the delivery of any other strategic element of the emerging LP. The LPA offer no Evidence to demonstrate the strategic need for a settlement boundary change at Bystock Village.

7. Correcting the emerging Local Plan errors

The proposed boundary change is demonstrably Unsound. Resolving the issue is simple; return the settlement boundary to that shown in the current Local Plan 2013-2031 and delete paragraph 13.5 of document KSD-010(rev) in its entirety.

This solution causes no diminishment of the delivery of houses within the emerging Local Plan, nor does it require re-writing any policies or other measures within the emerging Local Plan.

At the same time, it retains the heritage protections for Bystock Village and removes any policy conflict between the emerging LP and the made ENP.

8. Conclusion

The Evidence presented by the LPA is Unsound based on its factual errors, omission of material facts, failure to consider important heritage protection measures in the made ENP and misleading assertions that are not based in fact.

At the same time the LPA has not provided any evidence of the need for change. The change creates no additional strategic housing nor enable delivery of any tangible benefit. It does however enable the future material damage to a clearly identified and protected heritage asset in exchange for no tangible benefit.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The remedy is simple. If the LPA leave the Bystock Village settlement boundary at the location shown in the current Local Plan (2013 – 2031), then:

- there is no reduction in strategic housing delivery targets,

- there is no reduction in any emerging Local Plan benefits,

- there is no need to change any other element of the emerging Local Plan policies,

- there is no conflict between the made ENP and the emerging Local Plan,

- there is no conflict within the made ENP,

- the heritage protections for Bystock Village remain intact,

- there is no negative impact of any kind on the emerging Local Plan.

Full name: Margaret Leppard

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP05

1(b). Does your comment relate to one of the changes listed in the table above?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Where is the settlement boundary for Seaton Will we merge with Colyford? With current development applications it seems that the settlements may well coalesce before 2042

Full name: Hilary Robarts-Arnold

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP05

1(b). Does your comment relate to one of the changes listed in the table above?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: I notice that the latest plan has increased the number of houses for Seaton. This is very bad news for Seaton.

Reading Strategy Policy SP05 it states the development should be of a high quality (the developers in Seaton do not have a good record of high quality)

Houses should be in a sustainable location with sufficient infrastructure and services. The proposed number of houses in Seaton is excessive and are likely to be a huge burden on our infrasture - transport, medical facilities and school.

Flooding on some of the sites is already a huge issue and no amount of promises of mitigating this will actually be implimented. Theory and reality are not compatible.

The town centre will suffer when we need to support all our local shops and businesses.

We already have a number of empty houses, flats, unfinished properties within the town boundary, we do not need to spread beyond it.

The decision not to allocate Clay Common is a very sound one for a great many reasons and for that alone one can be grateful.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP05

1(b). Does your comment relate to one of the changes listed in the table above?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Objection to change of Settlement Boundary at Bystock Village, Brixington Ward. The proposed move of the settlement boundary is a material consideration that is based on factually incorrect and false Evidence presented by the Local Planning Authority (LPA). In addition, the proposed change materially undermines the existing heritage protection policies contained in the made Exmouth Neighbourhood Plan (ENP). In developing an emerging Local Plan that proposes conflict with a made Neighbourhood Plan, the LPA must demonstrate: 1. Strong Evidence Base: The LP's emerging policies are backed by robust, up-to-date evidence demonstrating the need for change. 2. Demonstrate Strategic Need: Prove that overriding the specific heritage elements in the ENP is essential to meet wider strategic objectives (e.g., housing, infrastructure) that the ENP failed to adequately address, ensuring the emerging LP is deliverable. East Devon District Council (The LPA) has done neither of these things. The LPA Evidence: 1. has mis-applied their own boundary criteria to justify the settlement boundary change. This is a material error in fact. 2. contains factually incorrect assertions, conflicting and misleading statements. These falsehoods constitute a material error in fact. 3. ignores the material fact of the clear and specific heritage protection policies contained in the made ENP which have been specifically reinforced by previous Planning Inspectorate decisions. This omission is contrary to Government guidance on Plan Making. 4. has failed to address or justify the wholly avoidable policy conflicts between the emerging Local Plan and the made ENP and within the ENP itself. This is contrary to Government guidance on Plan Making. 5. creates no new strategic supply housing opportunities attributable to this boundary change and adds no value to, nor enables, any other strategic goal within the emerging Local Plan. 6. fails to demonstrate how a change that adds no value to the emerging LP should take precedence over existing ENP heritage protection policies. These errors in material facts and omissions render the boundary change proposal Unsound. The whole issue can be resolved by returning the settlement boundary to the position shown in Local Plan 2013-2031. This restitution requires no changes to any other aspect of the emerging Local Plan nor to the made ENP. 2. LPA

Evidence to justify Settlement Boundary Change A change in settlement boundary is a material change to a Local Plan and must be justified by appropriate, accurate and factually correct Evidence. The Evidence that the LPA offers to justify the proposed change to the settlement boundary at Bystock Village is in Evidence and Examination Library; Section 3; Key Supporting Document KSD-010(rev) – Settlement Boundaries; paragraph 13.5 pg 39 et seq. Th text in paragraph 13.5 represents the only Evidence that the LPA presents to justify the settlement boundary change. For ease of reference, the entirety of paragraph 13.5 is shown below: 13.5 Consultation was undertaken on the proposed settlement boundary as part of the draft local plan in 2022 and a number of representations were received, including site specific comments related to the inclusion of land around Bystock Village. It was felt that this conflicted with criteria KSD-010(rev) Settlement Boundaries 42 B2 and B3 of the methodology because the areas are specifically protected by the Exmouth Neighbourhood Plan and are not well related to the built form of the settlement. Policy EN1 of the Neighbourhood Plan includes a clause that the areas defined in Figure 7 (replicated below) are locally important and distinctive areas outside of the settlement boundary where only minor proposals associated with existing buildings are likely to be acceptable. Although the area is on the periphery of Exmouth, it is considered to be physically and functionally related to it and therefore comply with criteria B2. This link will be further strengthened by proposed allocations. Criteria B3 relates to 'allocations' in a made neighbourhood plan and so is not applicable in this case. However, areas defined on Fig.7 of the neighbourhood plan that lie outside of proposed allocations are largely excluded from the settlement boundary. The commentary below demonstrates that the LPA Evidence contains factual errors and conflicting assertions, omits material facts, and makes false and misleading statements. These errors render the proposal to move the settlement boundary at Bystock Village Unsound. 2.1 Intentional mis-statement of material facts The responses from myself and others to the first Regulation 19 consultation identified several factual errors in the LPA Settlement Boundaries document KSD-010 – Settlement Boundaries. The nature of the errors is very easy to verify, and the LPA is legally required to consider all representations made during a Regulation 19 consultation. The identified errors have been repeated in the LPA final documents being presented as part of the Evidence file for the Planning Inspectorate (KSD-010(rev)). It is therefore reasonable to conclude that the LPA is intentionally mis-stating material facts and is basing the change of settlement boundary on false Evidence. This is enough to render this element of the emerging LP Unsound. 3. The factual errors in the Evidence Paragraph 13.5 of KSD-010(rev), quoted above, contains two material facts that are wholly mis-stated by the LPA: 1. The boundary change is justified by the LPA, on the basis that the newly enclosed area complies with settlement boundary criteria B2 2. That the newly enclosed area is further justified by "This link will be further strengthened by proposed allocations". 3.1 Settlement Boundary criteria Paragraph 13.5 states: "Although the area is on the periphery of Exmouth, it is considered to be physically and functionally related

to it and therefore comply with criteria B2." The Settlement Boundary Methodology Criteria B2, (KSD-010(rev) Appendix A, pg 97), states that areas should be included within settlement boundaries if they contain: "Built and extant planning permissions for community facilities, such as religious buildings, schools and community halls which are considered to be physically and functionally related to the settlement." This criterion is very specific and applies only to "community facilities that are well related to the settlement". The part of Bystock Village proposed to be included in the new settlement boundary has no community facilities, religious buildings, schools or community halls. Neither extant nor with planning permission. The nearby Bystock Court is not included within the new settlement boundary. Bystock Court is not a community facility, being a private care home for adults with learning difficulties. The new settlement boundary does not improve the access to Bystock Court and, given that Bystock Court is excluded from the settlement boundary in the emerging LP, there is not even a vaguely credible argument that Criteria B2 applies. The Evidence document appears to selectively quote just the last part of Criteria B2 and appears to be basing its inclusion purely on physical proximity to the existing settlement boundary, not the actual wording of Criteria B2. The assertion in the Evidence that any of the included site complies with Criteria B2 is a factual error and means that the inclusion is not based in accurate fact. This incorrect assertion has been used by the LPA throughout the Plan Making process; thus, it also means that the Strategic Planning Committee, Consultees including the public and Planning Inspectorate have been factually misinformed all the way through the Plan development process, rendering the Evidence Unsound. 3.2 Relationship with nearby allocations Paragraph 13.5 excludes Boundary Criteria B3 as being non-applicable. Criteria B3 applies to: "Site allocations identified in the draft local plan, or any made neighbourhood plan, for residential, community or employment uses which are physically and functionally related to the settlement." This is accurate as there are no site allocations at Bystock Village in either the emerging Local Plan, or made ENP, and the site therefore does not meet the criteria for inclusion within the settlement boundary. However, paragraph 13.5 then justifies the inclusion of Bystock Village because: "this link will be further strengthened by proposed allocations." There are no Allocations near Bystock Village, as can be seen in Chapter 5.3 of the Local Plan. During the allocations screening process, the LPA considered and rejected two adjacent Allocations, EXMO_07 Bystock Court and EXMO_21 Land East of Bystock Court (Evidence section 11 Site Allocations SAL-022 Exmouth, map on pg 4). EXMO_07 was rejected after detailed site evaluation on the grounds of heritage protections and environmental protection. (Evidence section 11 Site Allocations SAL-022 Exmouth pg 36). EXMO_21 was rejected after a site specific evaluation on the grounds of wildlife and environmental concerns. (Evidence section 11 Site Allocations SAL-022 Exmouth pg 172). The area of Bystock Village proposed for enclosure by the new boundary was never considered as an Allocation and is not included in the Allocations defined in the Evidence Chapter 5.3 of the Local Plan nor in any of the screening processes described

in Sections 4 Housing or 11 Site Allocations of the emerging Local Plan. As can be seen on the plan on pg 39 of KSD-010(rev) there are no allocations that connect to the proposed settlement boundary at Bystock Village. The nearest is EXMO-20 which lays on the east side of St Johns Road, and which has no connection at all, nor is access possible via Bystock Village. (Evidence section 11 Site Allocations SAL-022a(rev) Exmouth pg 26). The proposed boundary change at Bystock Village changes a currently smooth boundary into a crude penetration into the surrounding countryside. (see Fig 5 of this document). The statements related to nearby allocations are therefore factually incorrect, misleading and internally inconsistent. The Settlement Boundaries Evidence statement that "This link will be further strengthened by proposed allocations." is false, and the Evidence is unsound. 3.3 Physically and functionally related to The LPA asserts that Bystock Village is "physically and functionally related" to Exmouth settlement. This general definition is not among the specific criteria defined by the LPA as meriting inclusion within the settlement boundary (KSD-010(rev) Appendix A). However, it is worth examining earlier descriptions of Bystock Village made by the LPA. In 2014 and 2019 the LPA refused planning applications (13/2364/FUL and 19/0097/OUT) within Bystock Village on the grounds that the sites lay outside the Settlement Boundary. Both applications were also rejected on Appeal. In both cases the LPA delegated officer report described Bystock Village as: ".....former Bystock Estate buildings, of a more irregular layout that is rather more semi-rural in character, in contrast to the planned layout and greater density exhibited in the more recent estate development which is of a more suburban character and typical of more modern edge of settlement expansion." Nothing has changed since these reports and Bystock Village remains wholly unlike the built environment of Brixington Ward. Bystock Village shares almost no built environment with urban Exmouth, being served by an unadopted, private, single track driveway with no passing places, no streetlights, no pavement and only partially shared drainage. Bystock Village more closely resembles the area of Exmouth described in Para 13.2 of KSD-010(rev) which was excluded on the grounds: "here lower density, detached housing is interspersed with open fields. Parts of this road lack footways and are unsuitable for pedestrian use. It is therefore excluded from the settlement boundary as indicated on the map below, as it was from the adopted local plan." 4. Failure to properly consider material facts in the made Exmouth Neighbourhood Plan Paragraph 13.5 notes that the LPA knows that the made ENP has specific heritage protection policies. However, the Evidence then completely mis-states the nature and extent of the protections and ignores the policy conflict arising from the change in settlement boundary. 4.1 Bystock Village definition In creating the ENP and in compliance with para 204 of the NPPF, Exmouth Town Council took great care to ensure that Bystock Village was demonstrably of special social, architectural and historic interest. The ENP Evidence for conservation of Bystock Village includes over 400 pages of specific, published, detailed historic research into the history of the Bystock and neighbouring Marley Estates. The LPA were a statutory consultee to the ENP Heritage protection

provisions for Bystock Village, prior to their adoption. There is no evidence that circumstances have changed since the LPA agreed its inclusion in the ENP and the LPA offers no evidence to show that circumstances have changed. While most buildings within Bystock Village are unlisted, the NPPF is clear that damage and harm to non-designated heritage assets must also be carefully considered (NPPF 2024 para 216). In the ENP, Bystock Village is a specifically delineated area that the LPA wholly fails to acknowledge in its Evidence. Figure 14 in the ENP shows the mapped area of Bystock Village that the ENP heritage protections specifically apply to. The LPA Evidence ignores this important ENP plan, which constitutes a material fact (made ENP; Policy EN1, pg 29 and Fig 7, pg 54). The ENP heritage protection area is designed to protect not only the Grade 2 listed Bystock Court, but also the original estate buildings that have group value and that, together, preserve an intact working estate that dates from at least the early 1800's. The earliest recorded existence of Bystock Estate is the early 1700's when the *** Personal details have been removed *** family are recorded as owning the lands and property. The current layout of estate houses has been in place since the early 1900's. Most of the estate houses pre-date the current Bystock Court, evolving in form from the early 1800's. The octagonal core of the Old Dairy has been there since the very early 1800s and possibly a little earlier. Bystock Village most certainly exhibits a "unique sense of place". The spatial integrity of the layout of Bystock Village is unique in East Devon. Enabling future infill buildings will destroy the historic context. 4.2 Heritage protections for Bystock Village in the ENP The made ENP says of Bystock Village: "The Neighbourhood Plan has highlighted these areas in a policy, as evidenced in the community consultation process. There is proportionate, robust community evidence behind these choices. The community is clearly indicating that these areas are the last place they want to see development on." (made ENP, pg 29, para 10) The ENP goes on to say: "The following sites (including Bystock Village) have been identified as locally important and distinctive areas outside the Built Up Area Boundary (BUAB) where only minor proposals, associated with existing residential or business premises, are likely to be supported" (made ENP Policy EN1. Para 3, pg 29). The Planning Inspectorate have supported and clarified the meaning of the ENP policies. In refusing a 2019 Planning Appeal (APP/U1105/W/19/3227752 dated 14 August 2019) the Planning Inspectorate said: "The ENP also specifically identifies the Bystock House Estate as a locally important and distinctive area outside the BUAB where only minor proposals associated with existing residential or business premises, are likely to be supported. Whilst the term "minor proposals" is undefined, there is no suggestion that it should include the creation of new residential uses ....." (Planning Inspectorate Appeal refusal APP/U1105/W/19/3227752) In April 2024, Exmouth Town Council published a "Neighbourhood Plan – Evidence base and policy development report". This report was intended to inform a future update of the ENP. It made no recommendations for any changes to heritage protections at Bystock Village. In combination, the ENP policies and the prior decision of the Planning Inspectorate create a material set of policy

considerations that the LPA must consider if they propose to change the planning status of this heritage area. Based on paragraph 13.5, the LPA has ignored these material facts and provides no argument at all to justify a change. 4.3 Destructive impact of proposed boundary change Paragraph 13.5 makes the following assertion: “However, areas defined on Fig.7 of the neighbourhood plan that lie outside of proposed allocations are largely excluded from the settlement boundary.” Given that there are no allocations in the area covered by Figure 7, a reasonable interpretation of the LPA Evidence wording is that Bystock Village is excluded from the Settlement Boundary. This is demonstrably not true, and this Evidence statement is Unsound. While Figure 7 (KSD-010(rev), pg 42) of the ENP shows the full extent of the former Bystock Estate, it is wholly misleading to imply that this means that the heritage protections remain intact. The actual change is clearly shown when one plots the proposed settlement boundary onto the ENP plan of the protected area of Bystock Village. It is clear from this that the emerging LP spatial policy would result in the evisceration of the integrity of Bystock Village, through a process of enabling garden grabbing. The LPA Evidence specifically ignores this, instead, offering an easily misunderstood generalization in relation to figure 7. It is noteworthy that a Brixington Councillor enquired specifically about this proposed boundary change. He reports that he was told, by the LPA Local Plan team, that Bystock Village was excluded from the boundary change. 5. Policy conflicts The proposed boundary change converts Bystock Village from an area where development is precluded (current LP Policies 6 and 7), to one where development is assumed to be acceptable (emerging LP policy 6). This is specifically deleterious to the heritage protection measures in the made ENP. The change also creates policy conflict within the ENP. The current ENP spatial policy EN1 mirrors that of the current LP, with development outside settlement boundaries prohibited unless specifically allowed by other policy. The new boundary would create a situation where the ENP both allowed development under its spatial policy and prohibited it under its tested heritage protection policies. The Evidence fails to identify any of these policy conflicts and offers no Evidence to demonstrate that they are justified by a Strategic need in the emerging Local Plan. 6. Zero benefit to proposed change The proposed boundary change adds no new housing to the calculated strategic supply of housing, nor does it enable the delivery of any other strategic element of the emerging LP. The LPA offer no Evidence to demonstrate the strategic need for a settlement boundary change at Bystock Village. 7. Correcting the emerging Local Plan errors The proposed boundary change is demonstrably Unsound. Resolving the issue is simple; return the settlement boundary to that shown in the current Local Plan 2013-2031 and delete paragraph 13.5 of document KSD-010(rev) in its entirety. This solution causes no diminishment of the delivery of houses within the emerging Local Plan, nor does it require re-writing any policies or other measures within the emerging Local Plan. At the same time, it retains the heritage protections for Bystock Village and removes any policy conflict between the emerging LP and the made ENP. 8. Conclusion The Evidence presented by the LPA is

Unsound based on its factual errors, omission of material facts, failure to consider important heritage protection measures in the made ENP and misleading assertions that are not based in fact. At the same time the LPA has not provided any evidence of the need for change. The change creates no additional strategic housing nor enable delivery of any tangible benefit. It does however enable the future material damage to a clearly identified and protected heritage asset in exchange for no tangible benefit.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The remedy is simple. If the LPA leave the Bystock Village settlement boundary at the location shown in the current Local Plan (2013 – 2031), then: - there is no reduction in strategic housing delivery targets, - there is no reduction in any emerging Local Plan benefits, - there is no need to change any other element of the emerging Local Plan policies, - there is no conflict between the made ENP and the emerging Local Plan, - there is no conflict within the made ENP, - the heritage protections for Bystock Village remain intact, - there is no negative impact of any kind on the emerging Local Plan.

Full name: Lisa Bowman

Organisation (where relevant): Exmouth Town Council

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP05

1(b). Does your comment relate to one of the changes listed in the table above?: No

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.: Section 19 and Section 20 of the Planning and Compulsory Purchase Act 2004 (PCPA 2004) sets out the legal requirements a local planning authority must follow when preparing development plan documents (including Local Plans). Government guidance states that Local Plans must identify strategic priorities and be built on proportionate evidence. The Council has provided no evidence of changed circumstances that would justify overriding Policy EN1 of the Exmouth Neighbourhood Plan. There is no strategic purpose for moving the settlement boundary—no site allocations depend on it. There is no environmental, heritage or infrastructure evidence published to justify touching a designated "sensitive heritage area". This means the plan fails s.19 because the boundary change has no evidential basis and was not prepared lawfully or transparently.

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Please remove the proposed boundary change at Bystock Village and retain the existing settlement boundary as defined in Exmouth Neighbourhood Plan.

3. Do you consider that this part of the Spatial Strategy chapter is sound?: Yes

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

SP06

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): 3West Developments Ltd

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP06

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.:

2.21 Strategic Policy SP06 states that in locations outside of the defined settlement boundaries, development will not be permitted unless it is in accordance with a specific Local or Neighbourhood Plan policy that explicitly permits such development.

2.22 While 3West Developments support this policy, 3West Developments consider that there is an inconsistency with Strategic Policy SP05, which appears to discourage Neighbourhood Plans from allocating sites outside of the Draft LP settlement boundaries. It should be acknowledged that Neighbourhood Plans can make alterations to the settlement boundaries to allow for additional housing growth where this is justified and accords with the Council's overarching spatial strategy, therefore meeting the NDP Basic Conditions Tests.

Full name: Claire Alers-Hankey

Organisation (where relevant): Greenslade Taylor Hunt

Other party name (if relevant): Waddeton Park Ltd

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP06

1(b). Does your comment relate to one of the changes listed in the table above?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: This policy is aimed at restricting development outside of defined settlement boundaries, due to being located in open countryside.

While the aim of this policy is supported at a general level, in circumstances where there are insufficient employment sites allocated for the Plan period, the policy does not offer sufficient flexibility for alternative employment sites to come forward, even in circumstances where a site is sustainably located and where there is a demand for such development. Where a potential employment site is located close to other allocated employment sites, the unallocated site should not be perceived as unsustainable due to being on the wrong side of an arbitrary line. If a site is in a sustainable location, it should be considered suitable for development. Land north of Sowton is one such example. It is located in a sustainable location with excellent transport links to the local and wider strategic road network and is also sited adjacent to other allocated sites within the West End area.

Full name: Zoe Mason

Organisation (where relevant): Lichfields

Other party name (if relevant): Mr M and Mr R Nanciekivell

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP06

1(b). Does your comment relate to one of the changes listed in the table above?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: This policy is unsound and unjustified. It in effect stops any development from taking place outside of the settlement boundaries. This could include house extensions, agricultural development, additions/enhancement to business or industrial parks, highways works etc. This is fundamentally flawed and would have hugely negative impacts on East Devon's economy and wider social and environmental sustainability. We assume this refers to new dwellings outside of the settlement boundaries, with the exception of allocations, but this must be clarified and the policy updated. Further, as well as reference to Local or Neighbourhood Plan policy, reference should be made to the NPPF as there are exceptions through e.g. para. 84 (isolated homes in countryside) or para. 82 (rural exception sites); the Local Plan must not preclude this.

Full name: James McMurdo

Organisation (where relevant): McMurdo Land Planning and Development Ltd

Other party name (if relevant): Stuart Partners Ltd

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP06

1(b). Does your comment relate to one of the changes listed in the table above?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: McMurdo Land Planning and Development Ltd on behalf of Stuart Partners Ltd.

Objection (maintained) Reasons (as per previous representations)

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Amend the policy to be flexible to ensure adequate housing and employment land is delivered and to comply with the NPPF

Full name: James McMurdo

Organisation (where relevant): McMurdo Land Planning and Development Ltd

Other party name (if relevant): Stuart Partners Ltd

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP06

1(b). Does your comment relate to one of the changes listed in the table above?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: McMurdo Land Planning and development Ltd on behalf of *** Personal details have been removed ***

Objection (maintained) Reasons (as per previous representations))

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Amend the policy to be flexible to ensure adequate housing and employment land is delivered and to comply with the NPPF

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP06

1(b). Does your comment relate to one of the changes listed in the table above?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Savills on behalf of Mac Mic Strategic Land

Strategic Policy SP06 states definitively that development proposals outside of the existing defined settlement boundaries will not be permitted unless in accordance with specific local or neighbourhood plan policies. In so doing, it effectively assumes that the Local Plan will deliver as hoped by EDDC and that there will be no shortfall in delivery.

4. We can appreciate why EDDC would present the position in these definitive terms, however, there is inevitably some degree of uncertainty in the delivery of allocated and windfall development which it would be prudent to acknowledge and reflect in this policy.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: To that end, we would recommend that the following additional paragraph is incorporated into the policy:

"If the scale of housing and employment development does not deliver new homes and employment floorspace at the rate anticipated within the Local Plan and the land

supply short for engages the presumption in favour of sustainable development, then the local planning authority will work positively and proactively to support development proposals in appropriate and sustainable locations beyond the existing defined settlement boundaries."

Full name: Cara Chambers

Organisation (where relevant): Stantec

Other party name (if relevant): KCS Development

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP06

1(b). Does your comment relate to one of the changes listed in the table above?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: This relates to development beyond settlement boundaries. It is stated that development outside of settlement boundaries will not be permitted unless it is in accordance with a specific Local or Neighbourhood Plan policy.

4.2.7 This policy is unsound as it does not apply a flexible approach to housing delivery, for example the policy must follow the NPPF approach and enable development when or where there is a specific need (such as to meet housing land supply requirements)

SP07

Full name: Dee Woods

Organisation (where relevant): Otter Valley Association

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The OVA's main concern is the lack of sufficient infrastructure to accommodate this planned growth. As timely infrastructure provision is the responsibility of other providers and local authorities, we are encouraged by the strengthening of Policy SP07. Many SWW facilities for sewage treatment are at, or exceeding, existing capacity or there is an under provision, and much of the existing infrastructure is at or near the end of its useful life. The Council's Water Cycle Study concludes: No additional housing load should be applied to the key Honiton, Feniton, and Fluxton catchments, without first addressing the clear deficits in treatment capacity and phosphate removal. As the Council is aware from the OVA/ORCA's recent presentation to the Strategic Planning Committee, the Chair of EDDC's Strategic Planning Committee reiterated this commitment at the Council meeting on 25th November. "As I said to the gentleman from the Otter Valley Association … the evidence shows that the Honiton works are not coping and is well over capacity. We need to talk to SWW and understand the timing of when they are going to be expanding that plant's capacity. If the answer is "not soon enough" then development in that catchment will be delayed until that investment is made". These commitments must be reflected in Policy SP07 (or somewhere appropriate in the LP), and we will hold the Council to these commitments.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Dee Woods

Organisation (where relevant): Otter Valley Association

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: Yes

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The OVA's main concern is the lack of sufficient infrastructure to accommodate this planned growth. As timely infrastructure provision is the responsibility of other providers and local authorities, we are encouraged by the strengthening of Policy SP07. Many SWW facilities for sewage treatment are at, or exceeding, existing capacity or there is an under provision, and much of the existing infrastructure is at or near the end of its useful life. The Council's Water Cycle Study concludes: No additional housing load should be applied to the key Honiton, Feniton, and Fluxton catchments, without first addressing the clear deficits in treatment capacity and phosphate removal. As the Council is aware from the OVA/ORCA's recent presentation to the Strategic Planning Committee, the Chair of EDDC's Strategic Planning Committee reiterated this commitment at the Council meeting on 25th November. "As I said to the gentleman from the Otter Valley Association ... the evidence shows that the Honiton works are not coping and is well over capacity. We need to talk to SWW and understand the timing of when they are going to be expanding that plant's capacity. If the answer is "not soon enough" then development in that catchment will be delayed until that investment is made". These commitments must be reflected in Policy SP07 (or somewhere appropriate in the LP), and we will hold the Council to these commitments.

3. Do you consider that this part of the Spatial Strategy chapter is sound?: Yes

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure that the need for very important infrastructure requirements are given sufficient attention.

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: DCC supports Strategic Policy SP07. However, the county council wishes to make some detailed comments on the November 2025 version of the Infrastructure Delivery Plan (IDP). These comments which include requested changes to the wording of the IDP are shown below in the table in Appendix 2 of this letter. DCC will continue to work with the district council to make any further changes identified as necessary to the IDP for example to refine costing information in the light of new evidence.

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: DCC supports Strategic Policy SP07. However, the county council wishes to make some detailed comments on the November 2025 version of the Infrastructure Delivery Plan (IDP). These comments which include requested changes to the wording of the IDP are shown below in the table in Appendix 2 of this letter. DCC will continue to work with the district council to make any further changes identified as necessary to the IDP for example to refine costing information in the light of new evidence.

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): 3West Developments Ltd

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: *** Personal details have been removed *** acknowledge the removal of the need for new development proposals to support the 'wider community' in terms of the delivery of infrastructure, ensuring that the draft policy wording is in accordance with National Policy is Guidance.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Our attendance is necessary to effectively discuss the points raised in these representations.

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Vistry Group

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: Strategic Policy SP07: Delivery of Infrastructure

2.15 Vistry acknowledge the need for infrastructure on a strategic and local level to support growth within East Devon. Vistry therefore support the amendments to Strategic Policy SP07, particularly regarding the removal of the requirement for development to support the 'wider community'. Page 7 EDDC Second Regulation 19 Consultation: Representations | Land at Addlepool Farm

2.16 The removal of this text from the draft policy ensures the draft wording is in accordance with National Guidance and supports the notion that infrastructure must be suitable for the development to be acceptable in planning terms, and that there is no requirement for development to support the needs of the wider community.

2.17 Additional clarification could be added to the Draft Policy text to ensure that it is clear that infrastructure to support proposed development must meet the tests set out within Regulation 122 (as amended by the 2011 and 2019 Regulations) (necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development).

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Additional clarification could be added to the Draft Policy text to ensure that it is clear that infrastructure to support proposed development must meet the tests set out within Regulation 122 (as amended by the 2011 and 2019 Regulations) (necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development).

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Phillippa Gatehouse

Organisation (where relevant): C G Fry & Son Ltd

Other party name (if relevant): Mr & Mrs Cowling

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: C G Fry & Son consider Part E of strategic Policy SP07 to be overly wordy, being neither clear nor effective, which was expressed as the reason for the change.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: 'Include a mechanism for the long-term maintenance and management of new infrastructure supported by high quality public services through a management regime that is predicated upon the creation of social value' should revert to 'Include a mechanism for the long-term maintenance and management of new infrastructure'.

Full name: Chris Dadds

Organisation (where relevant): JLL

Other party name (if relevant): Charles Kislingbury for L Askew, S Askew, K Askew

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: No

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: Draft policy SP07 outlines the requirement for infrastructure provision in new development proposals. The policy outlines a series of policy requirements that planning applications will be required to demonstrate, in ensuring that proper infrastructure provision is delivered to support the creation of sustainable communities and that meets the needs of resident and businesses. The objective and thrusts of this policy are noted and supported.

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Greater flexibility should however be introduced into policy SP07 in order to ensure that infrastructure delivery and obligations do not render new development unviable. NPPF paragraph 35 states that policies in local plans should not undermine the deliverability of the plan

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: An additional reference should be introduced into the policy wording which reads “Where developers consider that scheme viability may be affected by the above policy’s requirements, they will be expected to demonstrate whether particular circumstances justify the need for a viability assessment and provide full development appraisals to demonstrate an alternative provision”. The suggested additional policy wording noted above would ensure that the policy is effective and consistent with national policy, as required by the NPPF under paragraph 35.

Full name: Chris Dadds

Organisation (where relevant): JLL

Other party name (if relevant): Charles Kislingbury for L Askew, S Askew, K Askew

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: Draft policy SP07 outlines the requirement for infrastructure provision in new development proposals. The policy outlines a series of policy requirements planning applications will be required to demonstrate in ensuring that proper infrastructure provision is delivered to support the creation of sustainable communities and that meets the needs of residents and businesses. The objective and thrusts of this policy are noted and supported.

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Greater flexibility should, however, be introduced into policy SP07 in order to ensure that infrastructure delivery and obligations do not render new development unviable. NPPF paragraph 35 states that policies in local plans should not undermine the deliverability of the plan.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: An additional reference should be introduced into the policy wording which reads “Where developers consider that scheme viability may be affected by the above policy’s requirements, they will be expected to demonstrate whether particular circumstances justify the need for a viability assessment and provide full development appraisals to demonstrate an alternative provision.” The suggested additional policy wording noted above would ensure that the policy is effective and consistent with national policy, as required by the NPPF under paragraph 35.

Full name: Neil Mantell

Organisation (where relevant): LRM Planning

Other party name (if relevant): The Cherwell Group

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: ST RA TE GIC POLI C Y SP07 : D E LI VERY O F INF R AST RU CTU R E – MO D IFI C ATIO N REQUI RE D

7.3 The Cherwell Group note that there is a requirement for a mechanism to be included within any planning permission to secure the long-term management and maintenance of new infrastructure and that the management regime should be predicated on the creation of social value.

7.4 It is not clear or unambiguous as to what is meant by social value. It is therefore considered that the Policy's supporting text should provide an explanation of the expectations.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

7.4 It is not clear or unambiguous as to what is meant by social value. It is therefore considered that the Policy's supporting text should provide an explanation of the expectations.

Full name: Laura Grimason

Organisation (where relevant): Pegasus Group

Other party name (if relevant): Taylor Wimpey Strategic Land

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: This policy seeks to secure appropriate infrastructure to support the needs of new development via direct provision or financial contributions. We note that this policy should be amended to allow consideration of viability on a case-by-case basis. Provision of infrastructure whether via direct provision or financial contributions can, in some cases, have significant implications for the viability of a scheme.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Building in additional flexibility to this policy by allowing viability to be considered would prevent these requirements becoming a barrier to the delivery of much needed housing and economic development where financial viability barriers exist. We note that this approach has been adopted for other policies relating to heat networks (CC05), affordable housing (HN02), housing to meet the needs of older people (HN03), accessible and adaptable housing (HN04), self and custom build housing (HN05), hostels and houses in multiple occupation (HN08) and biodiversity net gain (PB05). Applying the same approach to SP07 would ensure EDDC are being consistent across local plan policies.

Full name: Mathew Cairns

Other party name (if relevant): N/A

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the10km radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are other settlements adjacent to settlements with train stations which are in fact closer. Several maps in the Plan evidence have no scale (in KSD-010), so it is not possible to comprehend the relative distance differential.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial

Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove the access road from joining the B3179 as the consequent increase in pollution, including 'noise', 'light', 'exhaust gasses' etc. will all adversely affect the natural habitat on the pebblebeds. Keep the 400m zone free from development. Consider sites with better transport infrastructure, or at least with the potential to be made sufficient for purpose

Full name: Alison Earp

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the10km mitigation radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are settlements with train stations with entire separate neighbouring settlements which are in fact closer, yet are not considered to have access to the rail network. Several maps in the Plan evidence have no scale (e.g. KSD-010), so it is not possible to comprehend the relative distance differential.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial

Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reconsider the location of large housing allocations including Marlcombe, considering the known South East Devon strategic mitigation strategy.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sophie Glanfield

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the10km mitigation radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are settlements with train stations with entire separate neighbouring settlements which are in fact closer, yet are not considered to have access to the rail network. Several maps in the Plan evidence have no scale (e.g. KSD-010), so it is not possible to comprehend the relative distance differential.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial

Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reconsider the location of large housing allocations including Marlcombe, considering the known South East Devon strategic mitigation strategy.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sammy Glanfield

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the10km mitigation radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are settlements with train stations with entire separate neighbouring settlements which are in fact closer, yet are not considered to have access to the rail network. Several maps in the Plan evidence have no scale (e.g. KSD-010), so it is not possible to comprehend the relative distance differential.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial

Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reconsider the location of large housing allocations including Marlcombe, considering the known South East Devon strategic mitigation strategy.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: finn glanfield

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the10km mitigation radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are settlements with train stations with entire separate neighbouring settlements which are in fact closer, yet are not considered to have access to the rail network. Several maps in the Plan evidence have no scale (e.g. KSD-010), so it is not possible to comprehend the relative distance differential.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial

Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Reduce development on outskirts of Exmouth.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: emily glanfield

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the10km mitigation radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are settlements with train stations with entire separate neighbouring settlements which are in fact closer, yet are not considered to have access to the rail network. Several maps in the Plan evidence have no scale (e.g. KSD-010), so it is not possible to comprehend the relative distance differential.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial

Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Significantly reduce the housing around the edge of Exmouth, keeping any developments closer to the town centre.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joe Glanfield

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the10km mitigation radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are settlements with train stations with entire separate neighbouring settlements which are in fact closer, yet are not considered to have access to the rail network. Several maps in the Plan evidence have no scale (e.g. KSD-010), so it is not possible to comprehend the relative distance differential.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial

Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Significantly reduce housing allocations for Exmouth given the unique local constraints

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: John Hamill

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the10km mitigation radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are settlements with train stations with entire separate neighbouring settlements which are in fact closer, yet are not considered to have access to the rail network. Several maps in the Plan evidence have no scale (e.g. KSD-010), so it is not possible to comprehend the relative distance differential.

Full name: Alison Humphrey

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the10km radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are other settlements adjacent to settlements with train stations which are in fact closer. Several maps in the Plan evidence have no scale (in KSD-010), so it is not possible to comprehend the relative distance differential.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your

suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove the unsuitable Exmouth sites from the plan (e.g. Exmo_20 and Exmo_17)

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Margaret Leppard

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Just of the development? What about neighbouring community? And in the case of water, SUDS etc you must consider the various catchments.

Full name: Billy reed

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

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5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sam Rorke

Other party name (if relevant): N/A

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the10km radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are other settlements adjacent to settlements with train stations which are in fact closer. Several maps in the Plan evidence have no scale (in KSD-010), so it is not possible to comprehend the relative distance differential.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial

Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove the access road from joining the B3179 as the consequent increase in pollution, including 'noise', 'light', 'exhaust gasses' etc. will all adversely affect the natural habitat on the pebblebeds. Keep the 400m zone free from development. Consider sites with better transport infrastructure, or at least with the potential to be made sufficient for purpose

Full name: Nicholas Rorke

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the10km radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are other settlements adjacent to settlements with train stations which are in fact closer. Several maps in the Plan evidence have no scale (in KSD-010), so it is not possible to comprehend the relative distance differential.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your

suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove the access road from joining the B3179 as the consequent increase in pollution, including 'noise', 'light', 'exhaust gasses' etc. will all adversely affect the natural habitat on the pebblebeds. Keep the 400m zone free from development. Consider sites with better transport infrastructure, or at least with the potential to be made sufficient for purpose

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: Yes

Full name: Andrea Rorke

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the10km radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are other settlements adjacent to settlements with train stations which are in fact closer. Several maps in the Plan evidence have no scale (in KSD-010), so it is not possible to comprehend the relative distance differential.

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suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove the access road from joining the B3179 as the consequent increase in pollution, including 'noise', 'light', 'exhaust gasses' etc. will all adversely affect the natural habitat on the pebblebeds. Keep the 400m zone free from development. Consider sites with better transport infrastructure, or at least with the potential to be made sufficient for purpose

Full name: Thomas Shillitoe

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.: I await further information regarding the Air Quality at East Devon Heaths SAC / SPA and delivery of the strategy for mitigation of the potential adverse impact of rising vehicle emissions on the East Devon Heaths SAC / SPA, as there is no mitigation strategy currently shown as viable and no supporting HRA (currently showing adverse impacts) for the Local Plan, it is impossible to know the implications that a strategy would have. If the strategy has implication on neighbouring LPAs such as Exeter & Teignbridge, they need to be advised and be able to comment on a Regulation 19 plan which includes the mitigation strategy (and a supporting HRA) for EDDC to believe they have complied with their Duty to co-operate. The unknown air quality mitigation strategy could have significant implications as to the viability of Exeter & Teignbridge Local Plans.

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Awaiting air quality mitigation strategy to comment in full. Mention of european site mitigation in SP07 applies to other SP policies also, so is currently inconsistent.

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: I await further information regarding the Air Quality at East Devon Heaths SAC / SPA and delivery of the strategy for mitigation of the potential adverse impact of rising vehicle emissions on the East Devon Heaths SAC / SPA, as there is no mitigation strategy currently shown as viable and no

supporting HRA (currently showing adverse impacts) for the Local Plan, it is impossible to know the implications that a strategy would have. If the strategy has implication on neighbouring LPAs such as Exeter & Teignbridge, they need to be advised and be able to comment on a Regulation 19 plan which includes the mitigation strategy (and a supporting HRA) for EDDC to believe they have complied with their Duty to co-operate. The unknown air quality mitigation strategy could have significant implications as to the viability of Exeter & Teignbridge Local Plans.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Awaiting air quality mitigation strategy to comment in full. Mention of european site mitigation in SP07 applies to other SP policies also, so is currently inconsistent.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.: I await further information regarding the Air Quality at East Devon Heaths SAC / SPA and delivery of the strategy for mitigation of the potential adverse impact of rising vehicle emissions on the East Devon Heaths SAC / SPA, as there is no mitigation strategy currently shown as viable and no supporting HRA (currently showing adverse impacts) for the Local Plan, it is impossible to know the implications that a strategy would have. If the strategy has implication on neighbouring LPAs such as Exeter & Teignbridge, they need to be advised and be able to comment on a Regulation 19 plan which includes the mitigation strategy (and a supporting HRA) for EDDC to believe they have complied with their Duty to co-operate. The unknown air quality mitigation strategy could have significant implications as to the viability of Exeter & Teignbridge Local Plans. [map showing extent of existing recreational impacts mitigation strategy attached].

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Awaiting air quality mitigation strategy to comment in full. Mention of european site mitigation in SP07 applies to other SP policies also, so is

currently inconsistent. Air quality mitigation strategy could have significant implications as to the viability of Exeter & Teignbridge Local Plans.

Full name: Thomas Shillitoe

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Spatial Strategy chapter, please use this box to set out your comments.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitats Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the10km radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are other settlements adjacent to settlements with train stations which are in fact closer. Several maps in the Plan evidence have no scale (in KSD-010), so it is not possible to comprehend the relative distance differential.

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter legally compliant. It will be helpful if you are able to

put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: No

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the10km radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are other settlements adjacent to settlements with train stations which are in fact closer. Several maps in the Plan evidence have no scale (in KSD-010), so it is not possible to comprehend the relative distance differential.

4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Yes, I wish to participate in hearing session(s)

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Consideration for European wildlife sites and compliance with the Habitats Regulations should be a key foundation of all strategic policies, not just SP07.

Full name: PAULINE STEWART

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the10km mitigation radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are settlements with train stations with entire separate neighbouring settlements which are in fact closer, yet are not considered to have access to the rail network. Several maps in the Plan evidence have no scale (e.g. KSD-010), so it is not possible to comprehend the relative distance differential.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial

Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Significantly reduce housing allocations for Exmouth. We have roads almost at standtill, making commuter's lives a misery. I have myself taken over 40 minutes to get from Lympstone to Clyst St Mary. A sewage system that can't cope leading to raw sewage being released into the sea, often at the peak of the tourist season. The proposed site as no bus service and a car (and parking!) woud be needed to catch the train. The potholes and general state of the local roads make cycling an impossibility

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Jamie Vickery

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the10km radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are other settlements adjacent to settlements with train stations which are in fact closer. Several maps in the Plan evidence have no scale (in KSD-010), so it is not possible to comprehend the relative distance differential.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your

suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Remove the access road from joining the B3179 as the consequent increase in pollution, including 'noise', 'light', 'exhaust gasses' etc. will all adversely affect the natural habitat on the pebblebeds. Keep the 400m zone free from development. Consider sites with better transport infrastructure, or at least with the potential to be made sufficient for purpose

Full name: Lisa Turner

Organisation (where relevant): Blackdown Hills National Landscape

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: Yes, we support the amendments to part E of this policy, which is clearer and firmer on expectations in relation to long-term maintenance and management of new infrastructure as part of development.

Full name: Rachel Danemann

Organisation (where relevant): Home Builders Federation

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy.

It must also be noted that Section 106 contributions can only be sought to ensure a development mitigates its own impact. They cannot be required to address existing shortfalls. It will therefore be essential for the Council to have robust and up-to-date evidence around any s106 contributions being sought for infrastructure, play space provision, open space provision and playing pitches and such like and calculate any developer contributions arising at the time a planning application is made.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The policy wording should therefore be amended to include wording that explicitly states an assessment of provision will be undertaken at the time of an application to ensure any requests for s106 contributions remain evidenced and justified. Any reference to the adopted SPD must be removed from the policy.

Organisation (where relevant): Environment Agency

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Several policies within the plan are reliant upon the Water Cycle Study (WCS) to evidence that the growth associated with them will not have either an unacceptable detrimental effect on water quality, or will be serviced by adequate water resource. We consider that the WCS is not evidence-led, and makes conclusions which are not supported by the data and is therefore inadequate to inform the plan. As a result, the EA regard policies SP01: Spatial strategy, Strategic Policy SP07: Delivery of infrastructure, Strategic Policy SP08: Phased Delivery of Infrastructure and Services, Strategic Policy PB01: Protection of internationally and nationally important wildlife sites, PB02: Protection of regionally and locally important wildlife sites, WS01: Development of Marlcombe new community east of Exeter and AR02: Water quality and efficiency to be unsound insofar as they are not positively prepared, justified or consistent with national policy.

The revised IDP (November 2025 – Version 2) has incorporated some of our previous comments which is positive. However, we raise the issue of a lack of detail around water supply/treatment infrastructure to the proposed new town of Marlcombe and how that infrastructure will be delivered in a timely manner. There is further detail on this topic later in our response. The Draft Statement of Common Ground on Environment and Infrastructure Version 01 (10/12/25) paragraph 6.3 states that “A separate IDP for Marlcombe will be published later.” Whilst this may be the most appropriate option, an adequate understanding of what infrastructure is needed to support the town is required now, in order to plan for it. This means that the allocation must be supported by a robust evidence base. Therefore, it is only acceptable for the Marlcombe IDP to be done at a later date where it is understood that it is feasible to deal with foul waste, surface water, water demand and flood risk in a way that supports sustainable development and nature recovery. Furthermore, in the absence of a Marlcombe-specific IDP at this stage, the local plan policy (WS01) should heavily emphasise the need for high environmental sustainability standards for new buildings otherwise there

is a risk of disjointed infrastructure delivery as the need becomes more urgent as the new town is developed. There should be a note in the IDP around its alignment to the Drainage and Wastewater Plan (DWMP). It should identify the relevant DWMP catchment chapters; summarise planned/committed upgrades affecting East Devon; and confirm how local plan phasing/policies will be aligned to those DWMP milestones.

Full name: Steve Havers

Organisation (where relevant): National Highways

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: 22. The updated IDP (Version 02) now sets out key infrastructure requirements for Marlcombe, including the following to be delivered by Devon County Council and developers:

• North-south link road connecting the A3052 with the A30 Airport junction (TRA-18).

• Provision of high frequency bus routes linking to key destinations and enabling interchange with rail services (TRA-19).

• Improvements to the A3052 corridor, including upgrades to the Clyst St Mary roundabout, bus priority measures and a protected cycle path (TRA-20).

• New Park and Ride sites on the northern and southern edges of Marlcombe adjacent to the A30 and A3052 to intercept vehicular trips into Exeter (TRA-21).

• Off-site active travel enhancements including a new crossing of the M5 and improvements to Bishops Court Lane (TRA-23 and 24).

• On-site active travel infrastructure, mobility hubs and travel planning measures (TRA22, 25 and 26). 23. We note that National Highways is listed as a delivery organisation (alongside Devon County Council and the developer) for capacity enhancements and active travel improvements at the A30 Airport junction (TRA-16). Whilst National Highways welcome the inclusion of improvements to the Airport Junction and will wish to critically review proposals for the junction, it is unlikely to be responsible for the delivery of improvements necessary to support the Marlcombe development. 24. We also note that the updated IDP now includes a requirement for works to increase capacity at M5 J29 and J30 (TRA-17). National Highways is listed as the delivery organisation for these works. The IDP advises that, “Works at and between J29 and/or J30 of the M5 are likely to be required to limit the impact of planned

development across the Exeter Travel to Work Area upon junction capacity. Further work is ongoing to establish the measures required and so costs are currently unknown". The acknowledgement is welcomed by National Highways, although responsibility for the delivery and specification of improvements will need to be shared between public bodies.

Full name: Steve Havers

Organisation (where relevant): National Highways

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Strategic Policy SP07 relates to the timely delivery of infrastructure to support the needs of development. A proposed wording change clarifies that future planning applications for new development proposals will be required to assess the infrastructure requirements arising from their development, "where not already identified in a development allocation policy or the Infrastructure Delivery Plan (noting these needs should be addressed in any planning application)". The additional text reinforces the need to adequately and accurately identify the infrastructure requirements of planned development as part of the Local Plan process.

With paragraph 3.47 advising that "As the local plan progresses, detailed assessments of infrastructure needs and provision plans will be required", we repeat our previous assertion that the strategic transport needs of the whole plan must be understood and agreed at an early stage. We also continue to advise that the IDP may require further update to accommodate allocated growth, both that to be delivered within the plan period and beyond.

Full name: Craig Hatton

Organisation (where relevant): Network Rail

Other party name (if relevant): Network Rail

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: No

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: Strategic Policy SP07: Delivery of infrastructure In relation to the second station at Cranbrook, which has been ruled out. Funding set aside for the second station should be reallocated either to the Devon Metro scheme as a whole or specifically to improvements to Cranbrook station. It remains essential that CIL / S106 contributions to the Devon Metro are secured. NR supports that this remains a Priority 1 scheme in the latest Infrastructure Delivery Plan (IDP) published as part of the consultation. NR continues to emphasise the importance of funding contributions towards securing larger funding packages. It is noted that there will be a separate IDP for Marlcombe.

Organisation (where relevant): Torbay and South Devon NHS Trust (One Devon) Integrated Care Board

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.:

1. The plan does not properly integrate statutory health infrastructure considerations The IDP includes only limited primary care projects and omits many essential schemes in major settlements, despite extensive evidence provided by NHS Devon in January 2023. This risks failing to meet the NPPF's requirement to plan positively for infrastructure (NPPF paras 20, 34).

2. Lack of clear mechanisms to secure developer contributions for primary care SP07 contains general provisions, but most allocations lack site-specific and enforceable health obligations, creating uncertainty over how necessary capacity will be secured in line with NPPF para 57.

3. Failure to treat NHS Devon ICB as a named infrastructure delivery partner The IDP omits NHS Devon ICB as a key stakeholder, raising concerns regarding compliance with the duty to plan for necessary health services.

4. Ignoring previously submitted statutory evidence The plan does not incorporate the detailed primary care capacity evidence provided on 12 January 2023, which includes population, capacity, and mitigation/expenditure methodologies. This undermines proper evidence-based plan-making and risks non-compliance with NPPF paragraphs on infrastructure planning.

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph.

Please be as precise as possible.: Modification 1 — Introduce a dedicated Health Infrastructure Policy (or commit to a Health SPD) This should set out:

- how health requirements will be assessed and costed,
- a consistent methodology for S106/CIL contributions,
- mechanisms for delivery and maintenance aligned with housing trajectories.

Modification 2 — Update the IDP

- Add NHS Devon ICB as a named stakeholder.
- Include all necessary primary care expansion schemes across the district, not only those currently listed (Pinhoe, Seaton, Marlcombe).

Modification 3 — Strengthen enforceability of primary care obligations Ensure both strategic and non strategic allocations contain clear, specific health-sector mitigation requirements tied to development scale and phasing.

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.:

1. Not Positively Prepared The plan does not account for the full primary care infrastructure required to support planned population growth across multiple settlements (e.g., Exmouth, Topsham, Broadclyst, Honiton, Colyton, Cranbrook, Matford). Most allocations rely solely on general SP07 wording.

2. Not Justified (insufficient evidence used) NHS Devon's 2023 evidence on capacity, need, and mitigation has not been used in preparing the IDP or allocation-specific requirements. The omission of major required schemes indicates incomplete evidence informing the strategy.

3. Not Effective (no clear delivery mechanism) There is no robust district-wide mechanism for securing contributions or ensuring timely delivery of primary care infrastructure. Relying on ad-hoc site-by-site negotiation risks cumulative shortfalls.

4. Not Consistent with National Policy The plan does not fully comply with NPPF paragraphs 20, 34 and 57 which require:

- infrastructure to support development strategies,
- delivery planning alongside development,

- use of obligations to mitigate impacts.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Modification 1 — Add a dedicated Health Infrastructure Policy or SPD (as above) This makes the plan effective, positively prepared, and consistent with national policy. Modification 2 — Fully update the IDP with the complete primary care project list Ensure all settlements with known shortages have explicitly identified capital schemes tied to growth levels. This strengthens the justified and effective tests.

Modification 3 — Add explicit site specific primary care obligations Especially for:

- all growth towns,
- Service Villages with cumulative growth,
- WS01 Marlcombe (already partly addressed).

Modification 4 — Include NHS Devon ICB as a plan partner Ensures soundness by embedding formal healthcare delivery cooperation.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Although the response does not explicitly state a DtC breach, it highlights that key NHS evidence was ignored, and NHS Devon ICB is not properly referenced as a partner in the IDP. This suggests inadequate constructive engagement on a strategic matter—health infrastructure.

- The failure to include NHS Devon ICB as a named infrastructure partner.
- The omission of major required primary care schemes that were previously submitted.
- Lack of clear strategic coordination on aggregate primary care capacity in major growth areas.

SP08

Full name: Dee Woods

Organisation (where relevant): Otter Valley Association

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP08

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Policy SP08 is good but does not go far enough, nor is it robust enough to ensure timely provision of all required infrastructure, or its upgrading where necessary. The provision of new or improved water and waste infrastructure cannot be delivered in phases but has to be provided upfront at the start of any development. It is noted that the Infrastructure Delivery Plan 2025 still has very little input from South West Water in terms of new and improved sewage facilities. In relation to this, there is grave concern about the number of houses proposed in the catchment area of the Otter Valley. This river is already in a poor ecological condition due to the frequent discharges of sewage in recent years. A number of the existing sewage treatment works along the river cannot cope at the moment, as the Water Cycle Study highlights, so some serious investment is needed by South West Water in the near future, before any further homes are built. The housing allocation for the catchment is 1,161 homes, giving a total of 1,833 over the plan period. However, there does not appear to be any investment plans by SWW to increase capacity at its waste water facilities to deal this this planned large increase in the population.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Dee Woods

Organisation (where relevant): Otter Valley Association

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP08

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: Yes

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy SP08 is good but does not go far enough, nor is it robust enough to ensure timely provision of all required infrastructure, or its upgrading where necessary. The provision of new or improved water and waste infrastructure cannot be delivered in phases but has to be provided upfront at the start of any development. It is noted that the Infrastructure Delivery Plan 2025 still has very little input from South West Water in terms of new and improved sewage facilities. In relation to this, there is grave concern about the number of houses proposed in the catchment area of the Otter Valley. This river is already in a poor ecological condition due to the frequent discharges of sewage in recent years. A number of the existing sewage treatment works along the river cannot cope at the moment, as the Water Cycle Study highlights, so some serious investment is needed by South West Water in the near future, before any further homes are built. The housing allocation for the catchment is 1,161 homes, giving a total of 1,833 over the plan period. However, there does not appear to be any investment plans by SWW to increase capacity at its waste water facilities to deal this this planned large increase in the population.

3. Do you consider that this part of the Spatial Strategy chapter is sound?: Yes

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The ensure that the need for much improved sewage treatment plants is highlighted before any major development can take place.

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP08

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: DCC welcomes the inclusion of additional wording to specify that transport infrastructure within development parcels should align with infrastructure on neighbouring parcels/sites, to ensure there are continuous and attractive active travel and vehicular links from development sites to neighbouring areas and key destinations.

Full name: Dan Rogers

Organisation (where relevant): Bell Cornwell

Other party name (if relevant): Combe Estate

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP08

1(b). Does your comment relate to one of the changes listed in the table above?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: INTRODUCTION Combe Estate are long standing generational owner of large areas of agricultural and forestry land within East Devon. Their land interests are primarily in Honiton and Gittisham. As part of its interests, the Estate undertakes residential and commercial development and are the owners of Combe Garden Centre. The Estate therefore has a wide range of land and business interests within the district. The Estate has provided representations to the Council as part of previous consultations on the draft local plan and via the related call for sites process. Given the nature of their long-standing presence in the district, The Estate is an important local stakeholder with allocation interests within the proposals in the East Devon Local Plan for future development in the district. Against this background, Bell Cornwell LLP has reviewed the policies and information set out in the East Devon Local Plan (2020 -2042) Regulation 19 Consultation Draft and makes the following representations. CHAPTER 3. SPATIAL STRATEGY Strategic Policy SP08: Phased Delivery of Infrastructure and Services Strategic Policy SP08 includes a requirement for any developments to be brought forward in phases to be designed so that each phase or parcel provides pedestrian, cycling and vehicular access up to the boundaries of each development parcel/phase. Such developments shall also ensure that all services including electricity, water, sewerage, broadband and district heating services (where applicable) are also delivered up to the boundaries of each phase or parcel. This is a sensible policy to include, which can give housebuilders flexibility to build in phase to deliver across the plan period. It will allow both above and below ground services and infrastructure link up between different parcels of phased developments to minimise disruption in the delivery of adjoining phases or parcels of land.

Full name: Phillippa Gatehouse

Organisation (where relevant): C G Fry & Son Ltd

Other party name (if relevant): Mr & Mrs Cowling

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP08

1(b). Does your comment relate to one of the changes listed in the table above?: No

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: C G Fry & Son suggest that wording is streamlined, removing reference to single or multiple developers; It should read; “Developments that are being brought forward in phases or parcels must be designed so that each phase or parcel provides pedestrian, cycling and vehicular access up to the boundaries of each development parcel / phase.”

Full name: Phillippa Gatehouse

Organisation (where relevant): C G Fry & Son Ltd

Other party name (if relevant): Mr & Mrs Cowling

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

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Full name: Neil Mantell

Organisation (where relevant): LRM Planning

Other party name (if relevant): The Cherwell Group

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP08

1(b). Does your comment relate to one of the changes listed in the table above?: No

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: ST RA TE GIC POLI C Y SP0 8: PH ASED D ELI VE RY OF IN FR AS TR UC TURE AND SER VI CE S – MODI FI C ATI ON RE QUIRED

7.5 Strategic Policy SP08 requires the developers of proposals that are being delivered on a phased basis to provide pedestrian, cycle and vehicular access up to the boundaries of each phase, as well as to ensure that adequate infrastructure capacity can be provided to service future phases/parcels without the need for retrofitting.

7.6 The Cherwell Group are supportive of this approach, which will ensure that development is delivered in a coordinated and comprehensive manner, and without unnecessary delays and additional costs. Their masterplanning proposals show pedestrian, cycle and vehicular access to the boundaries of their land parcels, which could also be controlled by condition.

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Notwithstanding the above, they do, however, note that there is a requirement for services, which include (i.e. may not be a definitive list) electricity, water, sewerage, broadband and district heating services (where applicable) to also be delivered up to the boundaries of the phase or parcel and to align with infrastructure on neighbouring parcels/sites. These services are to be built to regulatory standards, with details of appropriate mechanisms for in perpetuity management and maintenance to a publicly accountable body.

7.8 The Cherwell Group have two concerns with this element of the Policy, as follows: ? No explanation of what would constitute a publicly accountable body is provided within the Policy, its supporting text, or the Plan's glossary of terms. It is assumed that the intent is to mean a body publicly regulated by a statutory regime, but this is not clear or

unambiguous. ? Noting that the title of the Policy refers to “infrastructure” and there are elements of infrastructure listed in Strategic Policy WS01 that are not ordinarily managed by bodies that are publicly regulated by a statutory regime (e.g. SANG or public open space), the ambiguity could allow for an interpretation of the Policy that is wider than intended.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The ambiguity could be reduced by the Policy and/or its supporting text, being far more specific over which elements of infrastructure and services are to be considered.

Full name: Andrew Ross

Organisation (where relevant): Turley

Other party name (if relevant): Bloor Homes Exeter and Stuart Partners Ltd

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP08

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Strategic Policy SP08: Phased Delivery of Infrastructure and Services [Modification Required]

2.21 Overall, the principles and approach that is proposed by Strategic Policy SP08 are supported, as it is important that phased development proposals are appropriately co-ordinated and that there is positive planning for the wider comprehensive development of allocations where relevant.

2.22 In the context of the Council's plan, it is clear that Strategic Policy SP08 will be directly relevant in the context of the planning and delivery of the Marlcombe new community (Strategic Policy WS01). It will be important that this policy is able to work with and support the final version of the new community allocation policy, including relevant details for phasing, delivery and infrastructure provision.

2.23 The updated version of Strategic Policy SP08 requires that where services are provided, they must include appropriate mechanisms for in perpetuity management and maintenance to a public body. It is assume that on this basis "services" are expected to comprise utilities, such as water, sewage, electricity and telecommunications services, where it is important that networks are co-ordinated and comprehensive, and where generally these will be managed and operated by bodies that are publicly regulated (via relevant statutory regimes); however, as drafted, the plan is not clear on this point and it may be interpreted that this requirement might be applied to other "services" (such as the provision and management of public open space) where there is not usual or universal regime for public oversight. This should be clarified as part of Strategic Policy SP08 (or the associated supporting text) for the sake

of clarity and effectiveness. Strategic Policy WS01 separately proposes that in respect of overall stewardship it is a requirement to “establish a robust and sustainable new town-wide stewardship vehicle”, and it is essential that the requirements of Strategic Policy SP08 are able to work consistently with this requirement.

Full name: Margaret Leppard

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP08

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: Thank you! This is much needed and GOOD!

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: EDDC must be able to consider development sites in context

Full name: Rachel Danemann

Organisation (where relevant): Home Builders Federation

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP08

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The policy is not considered to be sound as it is not positively prepared, effective, justified or con-sistent with national policy.

It is unclear from the policy wording how a developer would show compliance with the policy, particularly for sites are being developed by different developers. The policy is therefore ineffective and un-sound.

Organisation (where relevant): Environment Agency

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP08

1(b). Does your comment relate to one of the changes listed in the table above?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Several policies within the plan are reliant upon the Water Cycle Study (WCS) to evidence that the growth associated with them will not have either an unacceptable detrimental effect on water quality, or will be serviced by adequate water resource. We consider that the WCS is not evidence-led, and makes conclusions which are not supported by the data and is therefore inadequate to inform the plan. As a result, the EA regard policies SP01: Spatial strategy, Strategic Policy SP07: Delivery of infrastructure, Strategic Policy SP08: Phased Delivery of Infrastructure and Services, Strategic Policy PB01: Protection of internationally and nationally important wildlife sites, PB02: Protection of regionally and locally important wildlife sites, WS01: Development of Marlcombe new community east of Exeter and AR02: Water quality and efficiency to be unsound insofar as they are not positively prepared, justified or consistent with national policy.

Organisation (where relevant): Torbay and South Devon NHS Trust (One Devon) Integrated Care Board

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP08

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.:

1. The plan does not properly integrate statutory health infrastructure considerations The IDP includes only limited primary care projects and omits many essential schemes in major settlements, despite extensive evidence provided by NHS Devon in January 2023. This risks failing to meet the NPPF's requirement to plan positively for infrastructure (NPPF paras 20, 34).

2. Lack of clear mechanisms to secure developer contributions for primary care SP07 contains general provisions, but most allocations lack site-specific and enforceable health obligations, creating uncertainty over how necessary capacity will be secured in line with NPPF para 57.

3. Failure to treat NHS Devon ICB as a named infrastructure delivery partner The IDP omits NHS Devon ICB as a key stakeholder, raising concerns regarding compliance with the duty to plan for necessary health services.

4. Ignoring previously submitted statutory evidence The plan does not incorporate the detailed primary care capacity evidence provided on 12 January 2023, which includes population, capacity, and mitigation/expenditure methodologies. This undermines proper evidence-based plan-making and risks non-compliance with NPPF paragraphs on infrastructure planning.

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph.

Please be as precise as possible.: Modification 1 — Introduce a dedicated Health Infrastructure Policy (or commit to a Health SPD) This should set out:

- how health requirements will be assessed and costed,
- a consistent methodology for S106/CIL contributions,
- mechanisms for delivery and maintenance aligned with housing trajectories.

Modification 2 — Update the IDP

- Add NHS Devon ICB as a named stakeholder.
- Include all necessary primary care expansion schemes across the district, not only those currently listed (Pinhoe, Seaton, Marlcombe).

Modification 3 — Strengthen enforceability of primary care obligations Ensure both strategic and non strategic allocations contain clear, specific health-sector mitigation requirements tied to development scale and phasing.

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.:

1. Not Positively Prepared The plan does not account for the full primary care infrastructure required to support planned population growth across multiple settlements (e.g., Exmouth, Topsham, Broadclyst, Honiton, Colyton, Cranbrook, Matford). Most allocations rely solely on general SP07 wording.

2. Not Justified (insufficient evidence used) NHS Devon's 2023 evidence on capacity, need, and mitigation has not been used in preparing the IDP or allocation-specific requirements. The omission of major required schemes indicates incomplete evidence informing the strategy.

3. Not Effective (no clear delivery mechanism) There is no robust district-wide mechanism for securing contributions or ensuring timely delivery of primary care infrastructure. Relying on ad-hoc site-by-site negotiation risks cumulative shortfalls.

4. Not Consistent with National Policy The plan does not fully comply with NPPF paragraphs 20, 34 and 57 which require:

- infrastructure to support development strategies,
- delivery planning alongside development,

- use of obligations to mitigate impacts.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Modification 1 — Add a dedicated Health Infrastructure Policy or SPD (as above) This makes the plan effective, positively prepared, and consistent with national policy. Modification 2 — Fully update the IDP with the complete primary care project list Ensure all settlements with known shortages have explicitly identified capital schemes tied to growth levels. This strengthens the justified and effective tests.

Modification 3 — Add explicit site specific primary care obligations Especially for:

- all growth towns,
- Service Villages with cumulative growth,
- WS01 Marlcombe (already partly addressed).

Modification 4 — Include NHS Devon ICB as a plan partner Ensures soundness by embedding formal healthcare delivery cooperation.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Although the response does not explicitly state a DtC breach, it highlights that key NHS evidence was ignored, and NHS Devon ICB is not properly referenced as a partner in the IDP. This suggests inadequate constructive engagement on a strategic matter—health infrastructure.

- The failure to include NHS Devon ICB as a named infrastructure partner.
- The omission of major required primary care schemes that were previously submitted.
- Lack of clear strategic coordination on aggregate primary care capacity in major growth areas.