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Exeter Plan 2021-2041

Publication Stage (Regulation 19)

Representation Form

Ref:

**(For official
use only)**

Name of the Local Plan to which this representation relates: Exeter Plan 2021-2041

Please return to Exeter City Council, Local Plans Team, Paris Street, Exeter, EX1 1JN, upload onto our consultation portal at <https://exeterplanpublication.commonplace.is/> or email to planning.policy@exeter.gov.uk by **11:59 pm on 6 February 2025**.

This form has two parts:

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

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

Part A: Personal details

1. Personal details*

*If an agent is appointed, please complete only the Title, Name and Organisation (if application) boxes below but complete the full contact details of the agent in section 2.

Title	Councillor
First Name	Diana
Last Name	Moore
Job Title (where relevant)	Leader of Green Group. Submission on behalf of Cllrs Banyard, Read, Rees, Bennet, Wetenhall, Ketchin.
Organisation (where relevant)	Exeter City Council
Address Line 1	% Civic Centre
Line 2	Paris St
Line 3	Exeter

Line 4

Post Code

EX1 1JN

Telephone number

E-mail address

2. Agent's details if applicable

Title

First Name

Last Name

Job Title (where relevant)

Organisation (where relevant)

Address Line 1

Line 2

Line 3

Line 4

Post Code

Telephone number

E-mail address

Part B – Representation

Please use a separate sheet for each representation

3. To which part of the Exeter Plan does this representation relate?

Paragraph

Policy

Policies Map

4. Do you consider that this part of the Exeter Plan is legally compliant?

Yes

No

4 (a). If yes, and you wish to support the legal compliance of this part of the Exeter Plan, please use this box to set out your comments.
(Continue on a separate sheet if necessary)

4 (b). If no, please give details of why you consider this part of the Exeter Plan is not legally compliant. Please be as precise as possible.
(Continue on a separate sheet if necessary)

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

5. Do you consider that this part of the Exeter Plan is Sound?

Yes

No ☒

5 (a). If yes, and you wish to support the soundness of this part of the Exeter Plan, please use this box to set out your comments.
(Continue on a separate sheet if necessary)

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

(Continue on a separate sheet if necessary)

Designation of Land at Matford Lane for 21 homes

We consider putting this site forward for the development of 3-4 storey homes is a breach of a number of NPPF 2023 policies and as such, unsound.

Planning Status of the site as greenfield site

NPPF 2023 does not include a definition of brownfield sites, but NPPF 2024 Glossary does:

Previously developed land: Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed).

The Exeter Housing & Economic Land Availability Assessment document, Nov 2024, confirms that this site is not a brownfield, but a greenfield site:

Site description: "Site occupied, until relatively recently and for a period of around forty years, by buildings in office use. The planning consent for the offices was on a temporary basis and conditioned to return to grass, so the site is technically greenfield. "

As the site is a greenfield not a brownfield site then NPPF 2023 paragraph 128 applies: Achieving appropriate densities with due regard to amenity, applies:

1 "Planning policies and decisions should support development that makes efficient use of land, taking into account:

d) the desirability of maintaining an area's prevailing character and setting"

Building 3 or 4 storey flats within an area of greenspace, heavily used as a tranquil amenity area and part of a Conservation Area is in keeping with maintaining the area's prevailing character and setting.

NPPF 2023 paragraph 103 Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

103 a) "an assessment has been undertaken which has clearly shown the open space or land to be surplus to requirements."

No assessment has been undertaken to show that the green space within the footprint of the proposed site is 'surplus to requirements'. On the contrary, comments by consultees such as English Heritage (below) show that retaining and enhancing the site of the former Huts would be a great benefit to the wider open space area.

b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

There is no available land anywhere within reasonable walking or even cycling distance that could be seen as a 'replacement' for the land that will be lost by building on the enlarged footprint of the old Huts.

c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

The proposed allocation is for development is for 3 storey residential housing so this paragraph's conditions are not met.

Devon County Council demolished the 'Matford Huts', as they were always known, in June 2023. The Council's report on this made clear that removing these temporary structures would reap great benefits in relation to conservation area compliance and setting of the two listed buildings within the County Hall site. To build on the site is therefore by definition in contravention of the policies and regulations mentioned by the Council themselves and statutory consultees like English Heritage.

Examples of comments made by the DCC officer report (15/03/23) on the demolition include:

- Historic England : Consultee Response: 14/02/23. *Due to Devon County Hall's more than special architectural and historic interest, the building has been listed grade II*. It is noted that the site falls within the St Leonard's Conservation Area which is identified as an important green space. Therefore, it is welcomed that the site will be returned to grass to reinstate the green landscape setting to the campus. The proposed works offers an opportunity to enhance or better reveal the significance of the site. The works are viewed as a heritage gain.*
- DCC Historic Environment (Received 23 February 2023) Consultee Response: 23/02/23 11:08 – *It is recommended that the application is refused unless additional information is submitted regarding reinstatement of the land to grass, or unless this reinstatement is secured by a pre-commencement condition requiring an agreed design and time scale. No objection to the principle of the demolition of the Matford Lane Offices, but the location is sensitive, and its post-demolition appearance needs to be agreed. The St. Leonard's Conservation Area Appraisal & Management Plan (2008) identifies that the Matford Lane Offices do not make a positive contribution to the Conservation Area. Their removal could therefore be positive for the Conservation Area and the setting of Coaver/Bellair/County Hall. Restoration to grassland and being accessible to the public, reincorporated into the parkland landscape would meet the requirements of NPPF and the Conservation Area Management Plan.*
- DCC Landscape. Consultee Response: 22/02/23 16:47 - *The buildings to be demolished are not considered to contribute positively to the character of the conservation area or wider townscape. On this basis, there is no objection. However, the existing trees that surround the building do contribute positively to the character of the conservation area and the setting of County Hall LB and are worthy of protection. Therefore, should consent be granted, a suitably worded condition is recommended requiring trees adjacent to the buildings to be protected prior to, during and after demolition to BS5837. It would also be appropriate to secure a condition requiring suitable restoration of the site following demolition, including reasonable removal of materials below ground to a minimum depth of 30cm, placement of suitable soils to enable restoration to grassland as part of the wider parkland campus of County Hall, and selection of a suitable grass and wildflower mix that would require cutting just once a year and that would enhance the site's wildlife value.*
- Historic Environment. Devon County Hall and Bellair are Grade II* listed buildings, and the grounds surrounding these are included in the listed designation. This means that the grounds within which the Matford Offices sit form part of this listing and the setting for the buildings themselves. The St Leonard's Conservation Area is locally designated, and the Matford Offices lie within this area. Devon County Hall is a Grade II* listed building designed by Donald McMorran in 1955. It was a major civic work by McMorran, one of the most

important architects to continue working in a sophisticated neo-classical idiom during the 1950s and 1960s. The building is of a very high quality throughout in terms of its materials, finishes, furnishings and craftsmanship, including the use of many local materials. Bellair is also Grade II* and is a small house dating circa 1700 from the Wren period. It is of importance due to its design and age. It is considered that the demolition of Matford Offices would have a positive impact on the setting of these listed buildings as the Matford Offices design does not reflect that of the listed buildings.

NPPF 2023 PARAGRAPH 212 CONSERVATION AREAS

Local planning authorities should look for opportunities for new development within Conservation Areas [... and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

We believe that the proposal to build on this site is the exact opposite of this NPPF policy as residential development and removal of green space and trees can only damage the heritage asset settings.

5 (c). Please set out the modification(s) you consider necessary to make this part of the Exeter Plan sound, in respect of any soundness matters you have identified at 5(b) above.

You will need to say why each modification will make this part of the Exeter Plan sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.

(Continue on a separate sheet if necessary)

Removal of this site (reference 158, within Strategic Policy H2) from H2: Housing Allocations and Windfalls.

Recognition of this site and giving it status as a local green space and part of the biodiversity network in the city.

6. Do you consider that this part of the Exeter Plan complies with the Duty to Co-operate?

Yes

No

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

(Continue on a separate sheet if necessary)

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

(Continue on a separate sheet if necessary)

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

7. If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.
(Continue on a separate sheet if necessary)

8. If you would like to make representations on the Habitats Regulation Assessment (HRA) please provide your comments here, stating to which part of the HRA your comments relate.
(Continue on a separate sheet if necessary)

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

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

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

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

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

✓

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

10. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:
(Continue on a separate sheet if necessary)

As councillors (some of whom have sat on the planning committee) we have experience of trying to work with planning policy in practice and how planning decisions are taken within the Council.

As ward Councillors we have experience of how planning policy affects the community and local environment and the extent to which it may or may not be effective in achieving the stated policy

outcomes. We are also advocates for our communities and have identified where planning policies are not effective in terms of meeting positive planning outcomes for our communities and local environment.

The issues we have commented on in these representations are ones which concern us most (having made previous representations). However, it should be noted that, there has been no opportunity for formal Scrutiny (as set out in the Local Government Act) of the local plan policies, despite our numerous formal requests. While the strategic direction was set by the administration and approved by Council it should be noted that the emerging plan policies have not subject to any formal political oversight, for example in a council strategic planning committee. Our group has objected to the process. We are therefore having to make a number of representations to the Inspector on the matters that will have the most impact on our communities and environment.

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

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