



The Exeter Plan Publication Plan: Regulation 19 December 2024 (dLP)

Stuart Partners Ltd

Matter 3 - Spatial Strategy and Distribution of Development

- **Issue 1 – Spatial strategy and Liveable Exeter Principles – Policies S1 and S2**

Introduction

CarneySweeney acts for Stuart Partners Ltd in connection with land south of A3052 and east of A376, Clyst St Mary, East Devon District. This land is situated within what is known as the “West End” of East Devon and is being promoted by our client for a sustainable residential-led mixed use development comprising up to 2,000 new market and affordable homes and a range of social, community and commercial uses. The West End is situated on Exeter City Council’s (ECC) eastern edge and is recognised by East Devon District Council (EDDC) in its Second Regulation 19 draft Local Plan as being a highly sustainable area and a focus for new development.

This Statement should be read in conjunction with our Statements on Matters 1, 2, 4, 5 and 7.

Issue 1 – Spatial strategy and Liveable Exeter Principles – Policies S1 and S2

Assessment

We have had regard to:

- Liveable Exeter Prospectus (EVB-S-01a)
- Liveable Exeter Principles Document (EVB-S-01b)
- Other Spatial Strategy documents (EVB-S-02 to EVB-S-07)
- Sustainability Appraisal documents

The dLP’s approach is to focus the majority of development on brownfield sites, including strategic brownfield allocations, particularly in locations close to the city centre, along with modest greenfield development as a supplement to the overall focus on brownfield sites (Policy S1 4. and 6.)

The Liveable Exeter Prospectus (EVB-S-01a) demonstrates that greater Exeter is On the Up. The city has the largest journey to work area in the UK and is fast growing. There are extensive areas of natural beauty and coastline. EVB-S-01a notes that the city has reached a tipping point and there is a once in a generation chance to get things right.

As it is drafted, the dLP gets things wrong. It would constrain economic growth by focussing nearly a quarter of housing delivery on largely unviable and undeliverable strategic brownfield sites. Many of these sites are in viable existing use, making delivery even more unrealistic.

Instead, it is considered that the dLP should have:

1. Adopted a more ambitious growth strategy.
2. Looked to accommodate a greater proportion of its housing requirement on land outside the city under the DtC, as part of a balanced and mixed approach involving appropriate contributions by brownfield sites, greenfield sites, windfall sites and to a lesser degree, strategic brownfield sites.

With regard to Liveable Exeter principles, it is considered that Liveable Exeter prospectus (EVB-S-01a) presents a rose-tinted picture of what it terms Eight Transformational Projects that it assesses will deliver a gross total of 10,912 homes. The below assessment demonstrates that each project has significant delivery challenges that remain unresolved. While these constraints are recognised by ECC in respect of Sandy Gate, West Gate, Marsh Barton and North Gate (dLP paragraph 6.10), the sites that are allocated in dLP Policy H2 and referred

to in the Regeneration Opportunity Areas (dLP Policy H3 are subject to considerable constraints that are very likely to impact significantly on their delivery. The sites are considered below.

1. Red Cow Village (dLP Policy H2 442 homes)

- Requires full multi-departmental Network Rail (NR) cooperation for development on its operational land, including the construction of a new bridge across the main railway line; no such agreement is in place and no NR support for the scheme is noted in the evidence or representations
- Flood Zone 3, subject to multiple sources of flood risk
- Flood risk mitigation, including the Elevated Cycle Path emergency access/egress comprising two bridges (94m long in total) and a 782m long embankment (Red Cow Emergency Access and Egress Route Plan EVB-CC14b, Table 3.1)
- No funding or developer in place
- Inadequate assessment of development viability, including the level of affordable housing
- Construction to commence 2035 with the Cycle Path (presumably needed prior to first occupation) to be in place between 2035 - 2039

2. Water Lane (dLP Policy H2 1,861 homes)

- ECC has had aspirations to develop Water Lane since at least 1988, when it granted planning permission (ref: 88/0262/03 Land off Water Lane) for retail and 87 residential units residential on 13.07.88
- Almost entirely in Flood Zone 3
- Resolution to grant consent on 27.01.25 (ref: 23/10007/OUT), S106 not signed
- 0% affordable housing accepted by ECC
- A scheme to redevelop Haven Retail Park that benefits from a resolution to grant planning permission has stalled (see our Hearing Statement on Matter 4)
- Undeliverable without safe means of escape involving the construction of a new elevated pedestrian/cycle path (316m long) and 4 bridges (186m long in total). Third party land required and there is no evidence that a landowner agreement exists (see Water Lane Emergency Access and Egress Route Plan EVB-CC-14a Table 3.1).

3. Marsh Barton 5,544 homes under EVB-S-01a (Regeneration Opportunity Area, Policy H3)

- Multiple ownerships
- Flood Zone 3
- Viability: Marsh Barton is an existing employment area that is fully occupied. Land and buildings are in high demand and many sites have been and are in the process of being redeveloped for employment and other commercial uses
- Existing use values in this area would make acquisition for residential development unviable partly because of demand and partly because the cost of acquiring and constructing alternative premises in the city that are in ever decreasing supply because of the focus on developing brownfield land for housing

4. East Gate (dLP Policy H2 609 homes)

- Pyramids and cleared bus station sites represent legitimate opportunities
- Complex ownership structure and site assembly on remaining sites
- Need to relocate Civic Centre – no alternative site identified

5. Exe Bridges Retail Park (dLP Policy H2 201 homes)

- Within Flood Zone 3
- Heritage
- Loss/relocation of leisure centre
- Site in active, viable economic use as Exe Bridges Retail Park (see our Hearing Statement on Matter 4)
- Safe access and egress comprising a 193m bridge over the River Exe connecting to Edmund Street to accommodate a pedestrian/cycle path, including a single span of 62m and a 5m clearance over existing roads (Exe Bridges Emergency Access and Egress Route Plan Table 3.1 EVB-CC-14c)



6. South Gate (dLP Policy H2, 81 homes)

- Multiple ownerships
- Heritage: within two conservation areas and close to several listed buildings
- Loss of city centre car parking

7. North Gate (Guildhall and Harlequins Shopping Centre) (regeneration Opportunity Area, dLP Policy H3)

- Harlequins Shopping Centre vacant since September 2019
- Planning permission ref: 21/1104/FUL granted on 24.01.22 for co-living accommodation; Condition 1 requires commencement within three years ie by 24.01.25
- Amendment submitted under ref: 24/0911/MDO to pay a financial contribution in lieu of on-site affordable housing (decision pending)
- No confirmed start or delivery date

8. Sandy Gate 1,050 homes (EVB-S-01a)

- Requires relocation of MSA and Park & Ride– no alternative sites identified
- MSA, retail and employment units are fully occupied with high existing use value
- Scheme unviable
- Multiple ownerships

Together, the Strategic mixed use brownfield sites in Policy H2 promoted under Liveable Exeter principles are expected to deliver 3,194 homes, some 23% of the total requirement of 13,795 homes at dLP Policy H1.

Historic Allocations

EVB-H-06 confirms that a number of strategic brownfield site allocations were originally allocated for development in the Exeter Local Plan First Review which was adopted in 2005. This document is now over 20 years old. Others were allocated for development in the Exeter Core strategy (adopted 2012), which is now 14 years old. Some were allocated in both development plans. EVB-H-06 also notes that many others have not been subject to pre or planning applications. These include:

- Water Lane/Water Lane South
- Water Lane/Isca House
- Water Lane/Vulcan Estate
- Water Lane 61 and 62 Haven Road
- Water Lane/Canal Office and Sea Cadets
- East Gate/City Point (Exeter Core Strategy 2012)
- Red Cow/Red Cow North (Exeter Local Plan First Review)
- Red Cow/University of Exeter land (Exeter Local Plan First Review)
- Land at Old Rydon Lane (Exeter Core Strategy). The Council resolved to grant consent for 392 dwellings in 2014 (ref: 14/1351/OUT) but the S106 has yet to be signed.
- St Bridget Nurseries, Old Rydon Lane (Exeter Core Strategy). A planning permission granted at appeal for 350 dwellings was subject to Judicial Review and a decision is pending.
- Land adjoining Silverlands, Chudleigh Road (Exeter Core Strategy)



- Gipsy Hill Hotel, Gipsy Hill Lane (Exeter Core Strategy)
- Unit 1 Nightclub Summerland street (Exeter Core Strategy)
- East of Pinn Lane (Exeter Core Strategy)
- Hossary, Hollow Lane (Exeter Core Strategy)
- Land south of Gipsy Hill Lane (Exeter Core Strategy)

On the basis that these sites have failed to deliver, despite being allocated for development in previous development plans, it can only be concluded that there must be considerable uncertainty that they will deliver in accordance with the trajectory set in EVB-H-06 and EVB-H-05 and potentially, even within the plan period.

Delivery Trajectory on Greenfield Sites -Land west of Clyst Road Topsham

An example of swift housing delivery with a policy compliant level of affordable housing on an unallocated greenfield site in the city is Land west of Clyst Road, Topsham:

- Phase 1: Outline planning permission Ref. 17/1148/OUT/ refused on 07.03.18; appeal allowed 14.01.19 ref: APP/Y1110/W/18/320635
 - 155 residential units, 64 bed residential care home
 - 54 affordable homes/35% with a tenure split 70/30% social rented/intermediate, and 5% of affordable units as wheelchair accessible housing.
- Phase 1 Reserved Matters ref: 20/0849/RES approved 12th May 2021
 - 155 dwellings
 - 54 affordable homes, split 70/30% social rented (38 homes) and shared ownership (16 homes)
 - Scheme built out
- Phase 2 Full planning permission ref. 21/0401/FUL approved 20th November 2021
 - 15 dwellings
 - 30% affordable (5 homes)
 - Scheme built out
- Phase 3 Outline planning permission ref: 21/0894/OUT refused on 20.01.22; appeal allowed on 11.10.22, ref. APP/Y/1110/W/22/3296946
 - 100 dwellings
 - 35% affordable housing (35 homes)
- Phase 3 RM ref: 24/0253/RES submitted 05.03.24, approved 14th February 2025.
 - 100 dwellings.
 - 35 affordable homes, split 70/30% social rented (24 homes) and intermediate (11 shared ownership homes)
 - Pre-commencement planning conditions discharged
 - Work started on site

The scheme required two appeals. From the date on which the first appeal was allowed in 2019, it will take about 8 years to complete. Once complete, the scheme will have delivered 270 homes, of which 148 are affordable homes.

Greenfield sites can therefore be expected to make a) An important contribution to meeting housing needs; b) Can usually delivery policy compliant levels of affordable housing and c) Can usually deliver quickly.

It is considered that a greater emphasis should be placed on greenfield site opportunities, as part of a balanced and mixed approach involving modest delivery through vacant or underused brownfield land and windfall sites.

Physical, Environmental and Heritage Evidence

ECC presents extensive evidence to demonstrate that only relatively limited opportunities exist on greenfield sites within the city that have not already been built out, unless existing and proposed environmental designations are relaxed.

If housing need cannot be met fully on either brownfield or greenfield sites in the city, then where can it be met? A logical option would be to look at land outside the city.

Greater Exeter Strategic Plan Draft Policies and Site Options Consultation Reg 18 June 2020 (GESP)

The GESP was not submitted as an examination document. However, it identifies greenfield sites that could make a material contribution to the supply of new homes located outside the city, including in the West End of East Devon.

Conclusion

Policies S1 and S2 are laudable and ambitious. However, the above analysis demonstrates the considerable risks with relying on strategic brownfield sites to deliver some 23% of the total housing need, including market and affordable homes. It is considered that the strategic approach of focussing development on strategic brownfield sites has not been appropriately justified (Q2).

Housing development (for market and affordable homes) has been secured at appeal on greenfield sites in the city and the evidence is that sustainable greenfield site opportunities can make an important contribution to meeting market and affordable housing needs. However, while greenfield sites in the east and south east of the city are allocated under Policy H2, these can only be expected to deliver relatively modest levels of new market and affordable homes against the total requirement, albeit they can probably deliver relatively quickly (Q2).

In order to meet the local housing need, it will be necessary to explore opportunities on land outside the city. The process of determining the distribution of development is considered to be flawed because it followed a dogmatic approach based on resistance to releasing greenfield sites in the city and resistance to undertaking a proper DtC (Q6).

The policy outcomes in Policies S1 and S2 do not appear to have been fully tested in viability terms (Q7).

Reasonable alternatives do not appear to have been considered in the SA (Q9).