

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

First Name

Last Name

24001 Stuart Partners Ltd

Job Title (where relevant)

Organisation (where relevant)

Address Line 1

c/o agent

Line 2

Line 3

Line 4

Post Code

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)

Please note that these representations should be read in conjunction with representations submitted to previous consultations of the Exeter Plan made by McMurdo LPD on behalf of our Client.

Policy IF2

Policy IF2 seeks to ensure that development provides the necessary policy requirements, affordable housing and infrastructure to create and maintain sustainable communities, noting that deviation from policy on grounds of viability in specific circumstances and where a viability appraisal has been submitted as evidence.

The Exeter Plan relies heavily on large scale brownfield sites to meet Exeter's development needs. Clearly, where a plan focuses on brownfield sites to deliver development, a policy which allows a deviation from policy on the grounds of viability is a necessity. This will however, undoubtedly, have implications for the delivery of affordable housing, and other policy requirements.

The ECC Planning Committee has recently resolved to approve application reference 23/1007/OUT which forms part of proposed allocation SBA1 Water Lane, in accordance with the Officer recommendation [See Committee Agenda for Planning Committee here](#).

The recommendation concluded that the development is unviable. A Financial Viability Appraisal (FVA) was included within the application submission, assessed by an independent consultant and considered to be consistent with the RICS Practice Statement and Guidance. The independent assessment of the FVA confirmed that the viability gap is substantial and that the development is unviable. The Committee Report confirms that, due to significant abnormal and additional costs in bringing this brownfield site forward, the development would not be able to provide affordable housing in addition to the infrastructure funding. The Committee Report confirmed that still, even without affordable housing provision, the development is unlikely to proceed without external subsidy or other intervention.

The conclusions of the application FVA is a stark contrast to the findings of the Viability Assessment (VA) of the Exeter Plan (para. 6.5) which found that the brownfield higher density allocations of VA1 Exeter central (which includes SBA1 Water Lane), *'are broadly viable as tested and able to deliver the general*

policy requirements’. The VA (para.6.8) caveats that *‘there is little detail available on site costs or funding mechanisms for the allocation specific policies’* and that *‘the approach taken within the viability assessment is to separately test the likely forms of development and tenures and consider the viability headroom available to meet any site specific cost implications’.* In light of this caveat (and in noting the outcome of 23/1007/OUT), the accuracy and reliability of the findings of the VA with regard to brownfield allocations is questionable. Further, the VA assumes lower values than existing use values, i.e. the viability assumes brownfield land values not existing high value employment use values, resulting in unrealistic outcomes when determining the viability of the Exeter Plan. In light of this (and in noting the outcome of 23/1007/OUT), the accuracy and reliability of the findings of the VA with regard to brownfield allocations is highly questionable. [See Viability Assessment of Exeter Plan here](#)

Application reference 23/1007/OUT Water Lane (South) demonstrates that brownfield sites, even where they do not provide all policy requirements, cannot reliably meet the development needs of Exeter or the subregion. Consideration should be given to allocating further greenfield sites to meet Exeter’s housing and employment needs.

ECC and EDDC (and arguably other administrative areas) are failing in their Duty to Cooperate. The Exeter Plan needs to address the shortfall in housing and employment land supply either by allocating additional deliverable land within its administrative boundary to meet Exeter’s need or alternatively if this is not possible it must successfully engage in the Duty to Cooperate and formally make a request to EDDC (and other administrative area) to assist in meeting the housing and employment needs of Exeter.

Our Client’s land is suitable and available to meet Exeter’s (and East Devon’s) housing needs broadly in line with the issues the subregion faces.

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)

The Exeter Plan needs to address the shortfall in housing and employment land supply either by allocating additional deliverable land within its administrative boundary to meet Exeter’s need or alternatively if this is not possible it must successfully engage in the Duty to Cooperate and formally make a request to EDDC (and other administrative area) to assist in meeting the housing and employment needs of Exeter. Consideration should be given to suitable greenfield sites where development can be delivered with more certainty.

Our Client’s land is suitable and available to meet Exeter’s (and East Devon’s) housing needs broadly in line with the issues the subregion faces.

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)

Exeter is more than 2,000 houses behind in the current plan period ([See Authority Monitoring Report 2023-2024 here](#)) and doesn't have a 5 year housing land supply ([See Committee Agenda for Planning Committee here](#)). Clearly, it doesn't have enough employment land (See EDNA). East Devon, its neighbour, has 2.97 years housing land supply ([See SPC Report here](#)) and a recent appeal ([See Appeal Decision here](#)) found that it had only 2Ha of employment land available. Advice from Inspectors following the EiP into Teignbridge DC's Plan means that TDC will have to reconsult on housing policies that provide for growth from Exeter (and Torbay).

The evidence shows a failure in the DTC.

Para. 7.6 of the Exeter Plan states that 'the partner authorities (the City Council, East Devon, Mid Devon and Teignbridge District Councils and Devon County Council) are committed to continuing to work together, in accordance with the duty to cooperate, to address any shortfall in employment land to ensure the continued economic success of the wider area'.

However, EDDC propose to object to the Exeter Plan as set out in a report to the EDDC Strategic Planning Committee on the 4th February 2025 (See EDDC Report SPC here). The objection is on the basis that it fails to make available sufficient land for employment provision. EDDC Officer's recommended response recognises that the Exeter Plan does not refer to the Exeter specific employment land requirement nor how the Exeter Plan has addressed this need. It notes that the Exeter Plan fails to state that it will meet an Exeter quantified need and that 'no request has been made under the duty to co-operate for East Devon District Council to assist in meeting the employment land need identified in the EDNA. The land identified in the emerging East Devon Local Plan 2020-2042 is considered to be necessary to meet the needs of East Devon and does not seek to address wider needs.'

Whilst not explicit in the Exeter Plan, as suggested by EDDC, the Exeter Plan appears to rely on the collective land supply for employment across the sub-region, without formal request under the duty to co-operate. ECC (and arguably other authorities in the sub-region) are failing in their duty to cooperate and this must be addressed for the Exeter Plan to be found sound.

Further, ECC is not meeting its historic shortfall within its housing allocations and has not made a formal request to neighbouring authorities to assist in meeting its housing (including affordable housing) shortfall under the duty to cooperate. ECC (and arguably other authorities in the sub-region) are failing in their duty to cooperate and this must be addressed for the Exeter Plan to be found sound.

Our Client's land is suitable and available to meet Exeter's (and East Devon's) housing needs broadly in line with the issues the subregion faces.

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)

Yes

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)

We would like to participate in the hearing sessions to elaborate further on the issues raised in these representations.

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

For more information on how we use your data – please read our privacy notice at the following website: <https://exeter.gov.uk/media/5750/planning-policy-privacy-notice.pdf>

APPENDICES



