

EXETER LOCAL PLAN 2021-2041
PUBLICATION STAGE (REGULATION 19)
DECEMBER 2024

REPRESENTATIONS

PREPARED ON BEHALF OF

SALTER PROPERTY INVESTMENTS LTD



Contents

1 Representations Forms_Part A

2 Representations Forms_Parts B:

- Policy H1: Housing Requirement
- Policy H2: Housing Allocations and Windfalls
- Policy NE1: Landscape Setting Areas

Annexes

1 Land off Monmouth Street, Topsham_Site Location Plan

2 Land off Monmouth Street, Topsham_Preliminary Development Concept Plan

RA Ref: SALT0013

LPA Ref: -

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Date of Issue: February 2025



SECTION 1

REPRESENTATION FORMS_PART A

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

Mr

First Name

P

Last Name

Salter

Job Title (where relevant)

Director

Organisation (where relevant)

Salter Property Investments Ltd

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



SECTION 2

REPRESENTATION FORMS_PARTS B



Policy H1

Housing Requirement

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)

The provisions of the plan fall well short of the latest assessment of housing need based on the revised standard method, and undershoot the requirement by 25%. The fact that local needs have increased by 25% compared with the previous assessment using the, now superseded, national standard method, is confirmation that there are substantial unmet needs which is reflected in escalating house prices and levels of affordable housing need. Planning for only 642 homes per annum will result in a shortfall equating to 3,160 homes during the plan period. This is not just a numerical figure, it constitutes homes that are needed now, and should not have to await a further period of years for the Plan to be reviewed, failing which there is a real risk that more people will be forced into unsuitable and/or overcrowded accommodation, or worse, homelessness.

The evidence base indicates that there is a need for 6,611 affordable homes during the plan period, equating to 331 households per annum, or 52% of the overall requirement for which the Plan is seeking to make provision. Even assuming that every site were to deliver a policy compliant level, the number of affordable homes that would be delivered would fall woefully short of the current need. This, in itself, provides further strong justification for not delaying meeting the currently identified scale of local housing needs, which should be an absolute minimum target that the Plan should aim to exceed.

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)

- Amend Policy H1 to target the delivery of a minimum 800 homes per annum.
- Consequential amendments to Policy H2 to allocate additional sites, with priority afforded to greenfield sites that can deliver a policy-compliant level of affordable housing to meet the substantial need.

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)

To assist the Inspector with his/her inquisitorial examination into the soundness of the Plan in the interests of delivering sustainable development.

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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Policy H2

Housing Allocations and Windfalls

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)

For reasons set out in representations to Policy H1, the provisions of the plan are insufficient to meet current housing needs, and therefore the homes that are needed now and during the remainder of the Plan period. That deficiency is compounded by the insufficiency of the allocations that are made in Policy H2, and which risk failing to meet the housing requirement at which the Plan is aiming, which itself falls well below the latest assessment of local housing needs.

Considerable reliance is placed on strategic mixed use brownfield sites that are of uncertain deliverability within the timescales, nor will they provide the type of housing that is required (predominantly houses with gardens for families) and therefore that the market can deliver. Moreover, the reduced contribution towards affordable housing required from brownfield sites means that the substantial need for affordable homes will be even further from being met.

The largest allocation in the Plan, the site at Water Lane, was first identified as an opportunity for mixed use redevelopment (including housing) in the Exeter Local Plan First Review that was adopted nearly 20 years ago in March 2005. Notwithstanding that outline planning permission has recently been granted for its redevelopment (January 2025), there are some very significant challenges relating to its redevelopment. Moreover, the planning permission that has been granted is for only up to 1,300 homes whereas in Policy H2, the Council is relying on the delivery of 1,861 new homes. Therefore, on the basis of this one site alone, there is a deficit against the Regulation 19 Local Plan target of 561 homes, and it is likely that the identified capacities of some of the other sites will be equally optimistic. Furthermore, the proposed development will deliver a substantial number of apartments when the predominant market demand in Exeter is for family homes. This casts further doubt on the deliverability of the scheme. Finally, in relation to the Water Lane site, planning permission has been granted without any requirement for affordable housing due to the abnormal costs of redevelopment, the latter reflecting the difficulties and uncertainties pertaining to the delivery of any homes on the site. Therefore, the largest allocation in the Local Plan will not deliver any affordable housing to meet the compelling need in Exeter. This alone provides justification for allocating additional greenfield sites that can deliver a policy-compliant (35%) level of affordable housing to compensate for the lack of delivery from the predominant housing allocation in the Plan.

Given the City's track record of failure to demonstrate a five year supply of deliverable housing land either upon adoption of the Core Strategy, or during the entirety of the Core Strategy period to date, and its failure to review the Plan in accordance with either the timescales agreed with the Core Strategy Examination Inspector (2 years if the housing land supply remained unresolved) or statutory

requirements (5 years), it is imperative that the current plan incorporates significant contingencies. This is even more important given that the Plan is seeking to meet only 642 dwellings per annum against a current local need for 800 homes per annum, and therefore underproviding against the latest assessment of the need for homes by 25%. Assuming that this is in accordance with the transitional arrangements set out in the recently revised NPPF, nevertheless it manifests a real and compelling need for homes, provision for which will be postponed for a further period of years. The fact that local needs have increased by 25% compared with the previous assessment using the, now superseded, national standard method, is confirmation that there are unmet needs which is reflected in escalating house prices.

Based on the current LDS, adoption of the Local Plan is anticipated to be in November 2026. This assumes that there are no soundness issues arising, and it progresses in accordance with the anticipated trajectory. Even based on this timetable, in accordance with NPPF, paragraph 78(c), since the adopted requirement will not exceed 80% of the most up to date local housing need figure, it will be necessary identify a supply of specific deliverable sites equivalent to 6 years from July 2026, and therefore before the plan is even adopted. Given these circumstances, and to reduce the risk of unplanned provision being made through the Appeals process, additional planned provision should be made through the current plan.

The omission site on Land off Monmouth Street, Topsham identified on the site location plan at Annex 1 to these representations, provides an immediately deliverable opportunity to escalate housing delivery in response to identified local needs and the Government's priority agenda. The site is in the ownership of the promoter, has been subject to detailed assessment, and a carefully conceived scheme of development prepared which will retain and deliver substantial green infrastructure for the local community (see preliminary development concept plan at Annex 2). The opportunity has already been subject to pre-application discussions with the Council, and a further pre-application submission is due to be made shortly which will identify how the site can be developed in a way that respects the sensitivities of its context. It is in a highly sustainable location, well integrated with the existing townscape, within walking distance of a good range of everyday facilities as well as the Railway Station with half hourly services to Exeter Central and St Davids Stations. It is likely that an application for full planning permission will be submitted during 2025 which will evidence the sustainability of this development opportunity, and ensure that it can be delivered quickly to meet the clear and evidenced imperative to escalate housing delivery to meet a compelling and urgent need for more homes.

The need is here and now, and prolonging the period during which the response to it is delayed, risks forcing increasing numbers to remain in unsuitable accommodation, or worse still, into homelessness. Where there are suitable, available and immediately deliverable opportunities, such as the site at issue, then it would be not be in accordance with precepts of good planning, and inconsistent with the Government's agenda to tackle the housing crisis through a step-change in housing delivery, to fail to allocate them in the current plan.

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)

- Inclusion in Policy H2 as a 'predominantly residential site: major' of Land south of Monmouth Street, east of Bowling Green Road and west of Lower and Higher Shapter Streets, Topsham for up to 80 dwellings and green infrastructure, as identified on the site location plan at Annex 1 and illustrated by the preliminary development concept plan at Annex 2 to these representations.
- Consequential amendments to the Policies Map.

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)

To assist the Inspector with his/her inquisitorial examination into the soundness of the Plan in the interests of delivering sustainable development.

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Policy NE1

Landscape Setting Areas

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

NE1

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.

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(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)

This policy is in effect a local restraint designation which has no locus in current national planning policy. Blanket restraint designations of this nature were discontinued through the NPPF due to the overarching limitations that they can place on otherwise sustainable development, in favour of positively-worded criteria-based policies.

Whilst the policy objective to protect Exeter's distinctive and valued landscape setting may be sound, to designate broad swathes around the city where there is effectively a presumption against development, *prima facie* more restrictive than Green Belts, is unacceptable. The designations should therefore be removed from the Policies Map and replaced with a criteria based policy that does not refer to specifically designated areas. Moreover, the policy should be positively worded to permit development providing there is no unacceptable harm, reflecting the fact that development on greenfield sites in sustainable locations adjacent to the existing urban area will be necessary to meet housing needs, and will inevitably occasion landscape change.

A succession of Appeals have held that adopted Policy LS1, the equivalent policy in the adopted Development Plan, is inconsistent with current national policy, and out of date since housing development within the landscape setting areas is a necessity in order to meet housing needs.

As an example, in deciding an Appeal relating to Land at Home Farm, Pinhoe, Inspector Coffey held as follows:

Policy LS1 provides that development harmful to the landscape setting of the city will not be permitted. The accompanying text draws attention to the contribution of the hills to the north of the city to its landscaped setting. However, it is evident from the proposals plan that the boundary to the Landscape Setting Areas is tightly drawn around the northern edge of the existing urban area. Paragraph 113 of the National Planning Policy Framework (NPPF) advises that local planning authorities should set criteria based policies against which proposals for any development on or affecting any landscape areas will be judged. Policy LS1 effectively limits development to the existing urban areas, and is not a criteria based policy in accordance with the NPPF. (Appeal ref. APP/Y1110/A/14/2215771, para. 13)

The emerging development plan framework therefore needs to respond to the clear and consistent message handed down by successive Appeals Inspectors, and to embrace the imperative to meet housing needs through taking a positive disposition towards development and growth in accordance with the current Government's agenda.

Notwithstanding, and without prejudice to, the foregoing, if designated areas of landscape setting are to remain on the Policies Map, then they should be subject to detailed review utilising appropriate assessment to remove land does not make an important contribution to landscape setting to ensure that they do not unnecessarily restrict essential growth in the most sustainable locations adjacent to the existing urban area.

In particular, land at Topsham to the south of Monmouth Street, west of Bowling Green Road and south of Mount Howe, is effectively part of the urban area rather than the landscape setting of the town. The land is adjacent to the existing developed area of the town to the west, north-west and south-west, and is otherwise bounded by roads with sporadic urban development. Moreover, its topography is such that it slopes from north-east to south-west, in consequence of which it is construed in the context of the existing developed area of the town. The fact that the land in question is included in the Topsham Conservation Area, which is a designation intended to preserve and enhance the built heritage, endorses the fact that it is an integral part of the urban environment rather than undeveloped setting.

The inclusion of land within the conflicting designations is pathological, and confirms that it has not been subject to robust and proper assessment. To the extent that there is a landscape setting to this part of Topsham, it is to the south east of Mount Howe.

A Landscape and Visual Assessment of the site has been undertaken, which confirms that it is little visible within its context and does not make an important landscape contribution in its setting. A copy of that assessment is being provided to the Council in conjunction with a pre-application enquiry to be submitted shortly to the Development Management Team. A copy can be made available if it would be of assistance, and can be requested through the representor's agent.

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)

Either:

- A) Delete Policy NE1 which is a local landscape restraint designation that has no locus in current national policy and remove all designations from the Policies Map;

Or:

- B) Amend Policy NE1 to be positively worded to permit development within the landscape setting areas unless it would cause severe and unacceptable harm; and
- C) Amend the landscape setting designation to the south east of Topsham to remove the land between Monmouth Street, Bowling Green Road and Mount Howe that is also included within the Topsham Conservation Area.

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)

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(Continue on a separate sheet if necessary)

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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)

To assist the Inspector with his/her inquisitorial examination into the soundness of the Plan in the interests of delivering sustainable development.

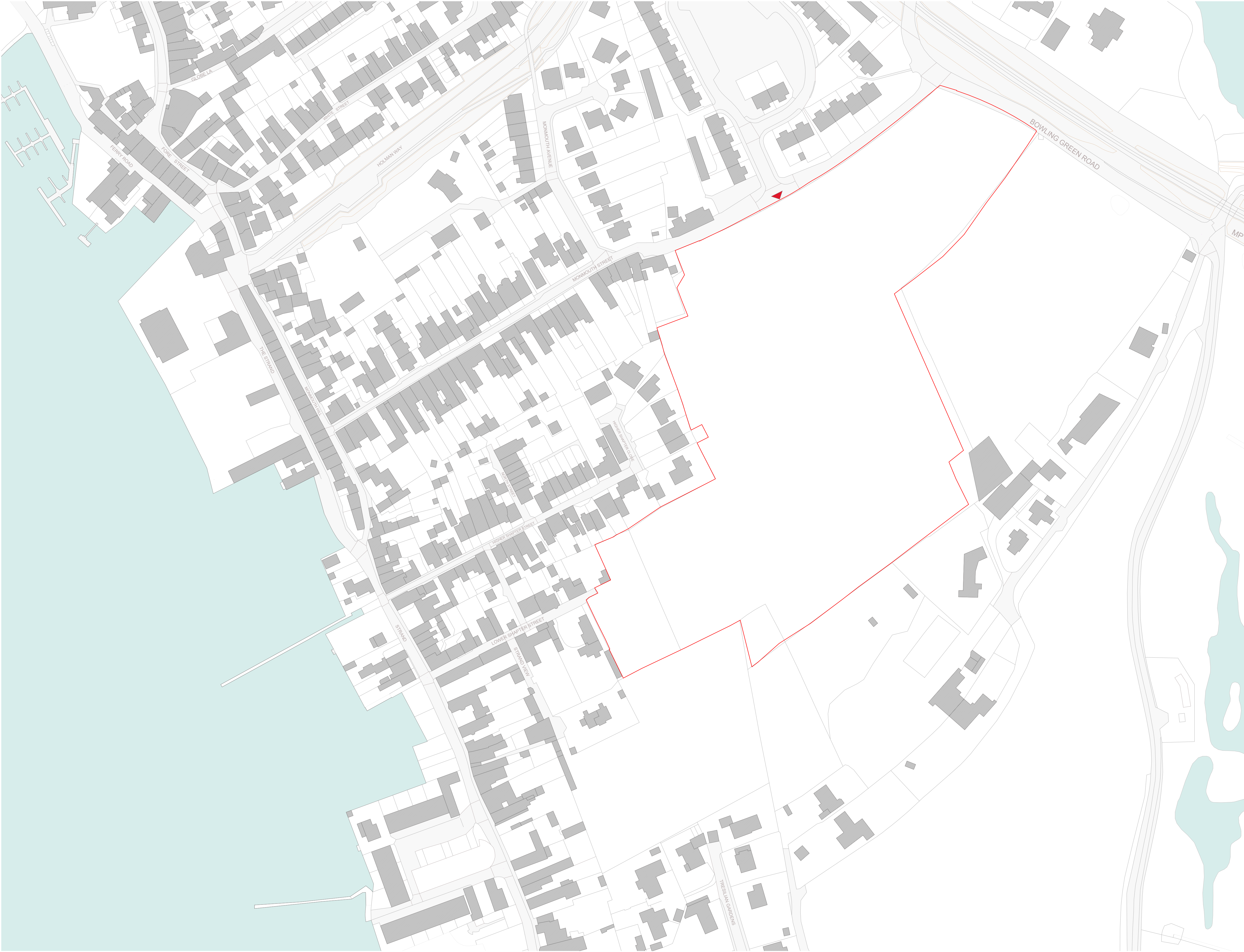
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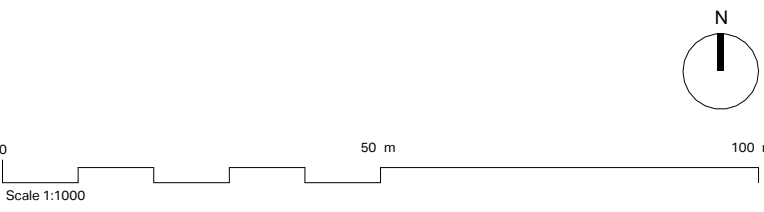


Annex 1

Land off Monmouth Street, Topsham Site Location Plan



- general notes
1. © This drawing is copyright Proctor and Matthews Architects and must not be copied in whole or part without prior consent.
 2. Do not scale from this drawing.
 3. Refer to drawing number.
 4. This drawing is to be read in conjunction with all other relevant architects and engineer's drawings.
 5. All dimensions to be checked on site prior to commencement of works and any discrepancies are to be checked with the architect immediately.
 6. Unless otherwise stated all dimensions are in mm.



Key

— Site Boundary - Application Site

P01	31.01.25	For Information	HS
rev	date	description	dw

client **Salter Property**

project **Land off Monmouth Street, Topsham**

status **S0 - Work in Progress**

drawing title **Site Location Plan**

drawing no **A551-PMA-XX-XX-SK-A_9000**

project no - originator - volume - level - type - role - number

scale	1 : 1000	date	19/01/24	drawn	HS
original	A1	revision	P01	checked	SP

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website www.proctorandmatthews.com



Annex 2

Land off Monmouth Street, Topsham Preliminary Development Concept Plan



- general notes
1.

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2.

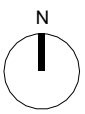
Do not scale from this drawing.
3.

Refer to drawing number.
4.

This drawing is to be read in conjunction with all other relevant architects and engineer's drawings.
5.

All dimensions to be checked on site prior to commencement of works and any discrepancies are to be checked with the architect immediately.
6.

Unless otherwise stated all dimensions are in mm.



Schedule of Accommodation

Houses (2,3 & 4 Beds) : 58 Dwellings

Duplexes (1 Beds) : 14 Dwellings

Apartments (1,2 & 3 Beds): 8 Dwellings

TOTAL: 80 Dwellings

P02	18.09.24	For Information	HS
P01	26.02.24	For Information	HS
rev	date	description	dw

client **Salter Property**

project **Land off Monmouth Street, Topsham**

status **S0 - Work in Progress**

drawing title **Site Layout Plan**

drawing no **A551-PMA-XX-XX-SK-A_9001**
project no - original - volume - level - type - role - number

scale	1 : 1000	date	01/19/24	drawn	HS
original	A1	revision	P02	checked	SP

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website www.proctorandmatthews.com

