



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 applicable) boxes below but complete the full contact details of the agent in section 2.*

Title	Mr
First Name	Jon
Last Name	Williams
Job Title	
(where relevant)	
Organisation	Devon County Council
(where relevant)	
Address Line 1	
Line 2	
Line 3	
Line 4	

2. Agent's details if applicable

Mr
Richard
Smith
Associate Director- Planning
Norse Group
Unity Place
280 Fifers Lane
Norwich

Post Code		NR66ED
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	H2	Policies Map	Land at
Matford Lane
2 – Ref 158
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4. Do you consider that this part of the Exeter Plan is legally compliant?

Yes	Yes	No	
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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.

The local plan is legally compliant as it has been prepared in accordance with the Local Development Scheme and has been published alongside a sustainability report.

The site allocation has been subject to public consultation through the Regulation 19 consultation in accordance with the Council's Statement of Community Involvement which sets out the strategy for involving the community in the preparation and revision of plans.

The landowner has also complied with s123(2A) of the local Government Act 1972 and between 28 December 2023 and January 12 2024 advertised its intention to dispose of the site, which forms part of land considered to be open space. The landowner has considered the objections received and a summary of the issues raised by the public and Devon County Council's response are provided below. This demonstrates how the site can be developed to overcome neighbour concerns and meet local and national plan policy.

Design and Layout

Issue – Too many dwellings and high buildings would be visually intrusive.

Response – The size and scale of any new building can be carefully designed to prevent any detrimental impact upon the Conservation Area, adjacent Listed Building and its setting. It is considered that a two and a half/three storey building would be suitable for this location and would not be visually intrusive given the existing screening from existing buildings and trees. This would be in accordance with emerging policy D1 of the emerging Local Plan, which states developments must; provide a layout and built form that makes efficient use of the site and complements the surrounding area and buildings through appropriate densities, massing and building heights.

As previously mentioned although the landowner is supportive of the allocation for 21 dwellings it is considered that with the site constraints, Listed Building, trees and ecology/BNG that a lower density of development would be more suited to this location.

Heritage/Conservation Area.

Issue - The site is located within a Conservation Area & should not be developed.

Response- The proposed site is located in the conservation area but previously consisted of a modular office building which has been demolished. The proposed redevelopment of the site can be sensitively designed to enhance the character and appearance of the area in accordance with 'emerging' Local Plan policy H2 which requires development proposals to conserve the distinctive character, special architectural value and historic significance of Conservation Areas.

The site has also been subject to consultation with Exeter City Council's Conservation Officer and no objection has been raised regarding the allocation of the site for development.

Affordable Housing

Issue - A request was received for affordable housing on the site.

Response - Any application will comply with the emerging Local Plan policy H4 which requires 15% affordable homes on developments of ten homes or more or with a site area of 0.5 hectares or more (subject to viability).

Sustainable Travel - Public footpath

Issue - Area provides a safe walking route for school children/others.

Response - There is no formal footpath through the site, however the curtilage allows for the retention of routes frequently used by the public and dog walkers through wooded areas. A considerable green corridor between the site and Matford Lane will be retained to allow for recreation and walking.

The proposed development will also be designed to allow natural surveillance of paths to enhance the security of the area.

Open Space/Recreational Area

Issue - Loss of open space used by the school

DCC Response: The loss of open space at County Hall will be limited as the majority of the new development will be constructed upon the footprint of the previous building with communal areas/gardens provided adjacent to the building(s).

The total green space at County Hall is 5.00 hectares, the area in question is an area of 0.60 hectares of which 0.23 hectares is currently public open space (POS). This represents 4.65% reduction in total to the current POS on site. Although the quantity of POS will be reduced the quality of the remaining land can be enhanced to compensate for the loss.

Some of the curtilage is covered by trees and the majority of these are protected. A considerable green corridor between the site and Matford Lane will be retained to allow for recreation and walking.

Loss of Trees and Biodiversity

Issue - Concern raised regarding potential loss of trees and biodiversity.

Response - It is not anticipated that there would be any significant tree removal. It is possible a very small number of category C trees would be removed and replaced on the County Hall site to allow access.

A minimum of 10% Biodiversity net gain will be provided on the site and protected trees will be retained in accordance with the Environment Act (2021) and policy NE3 of the emerging Local Plan, which highlights the need to.

"Provide at least 10% Biodiversity Net Gain on site where possible, but elsewhere if not, in accordance with national and local guidance, to meet the Biodiversity Gain Objective, help deliver the Local Nature Recovery Strategy and to ensure a net biodiversity gain for the city."

Infrastructure

Issue - Over stretched infrastructure (hospitals, doctors, roads).

Response - The impact upon the capacity of local infrastructure will be considered through the formal planning process and contributions towards health, road improvements could be sought at planning application stage.

The site offers the opportunity for car free or low car development which will limit any impact upon the road network.

Education

Issue - Oversubscribed primary school.

Response - The current number of pupils on roll at St Leonards is 619 against a 630 capacity.

Forecast cohort data (up to '27/28) also shows a surplus of primary capacity. In terms of pupil place planning considering all primary schools within the statutory walking distance of 1.5 miles from the development site there is also adequate capacity in the wider area. The impact to education capacity will be assessed once a planning application is submitted. If there is an under provision a contribution towards education could be provided via a Section 106 agreement.

Public Consultation

Issue - Public wanted more consultation with local residents.

Response - DCC has complied with s123(2A) of the Local Government Act 1952 by advertising its intention to dispose of land forming part of a public open space and considering the objections that were received. This process also enabled DCC to engage with local residents and relevant organisations to identify any key site issues and local concerns which would need to be addressed as part of the site allocation and future planning application. DCC have reported all the local objections to Exeter City Council.

The allocation of the site is also subject to consultation through the Local Plan process.

Construction Process

Issue - Disruption of building works/ development.

Response- The concern regarding disruption from building work can be addressed at application stage once the design of the development is known. A Construction Consideration Statement/Management Plan can be conditioned to limit any impact upon the residential amenity of neighbouring properties which are located over 50 metres from the site in accordance with 'emerging' local plan policy H16. Policy 16 states that "development proposals will be supported when they do not result in unacceptable harm to the amenity of neighbouring residents. New homes must provide safe and healthy living conditions and good standards of amenity for future occupiers". The construction consideration statement will include details of access, contractor vehicle site movements, when work can be carried out/hours of operation, noise, vibration, dust, waste recycling, material storage, general contractor site conduct, response to complaints etc

In addition, DCC can provide access for construction through County Hall from its main access of the Topsham Road.

Conclusion

The site is considered suitable for residential development being within Exeter on previously developed land in a sustainable location with good access to jobs, services and facilities by sustainable modes of transport. The site could be sensitively designed to overcome neighbour concerns regarding design and layout, visual impact and loss of open space at planning application stage and the density/number of units could be lowered to help address site constraints. The proposed site allocation and local plan process is considered to be sound, legally compliant and meets the duty to co-operate.

(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.

N/A

(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.

N/A

(Continue on a separate sheet if necessary)

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

Yes

YES
with
modifi
cation

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.

The development of the site for housing would result in a sustainable form of development which would be **‘consistent with national policy’** in the NPPF on sustainable development.

The proposed site forms part of Devon County Council County Hall site and is located off Matford Lane. The site previously accommodated a modular office building which was demolished in September 2023 following planning consent being approved on 15th March 2023. (Devon County Council Ref. DCC/4335/2023.) The land currently consists of the footings of the building with grassed areas and trees on the boundary. It is intended to seek planning permission to increase the time period for retention of the footings whilst the site is considered for housing. The neighbouring development consist of a mix of residential, education and commercial uses. The site sits adjacent to Devon County Council a Grade II* Listed Building.

The site is situated in a sustainable location within the urban area of Exeter City Council adjacent to residential properties and located approximately 10 minutes on foot from shops on Magdalen Road (0.4 miles) and 20 minutes (1 mile) to the City Centre. It is also near essential services and facilities and job opportunities, including:

St Leonards Primary School: 0.3 miles (5-minute walk).
Isca Academy: 1 mile (20-minute walk or 5-minute drive).
Waitrose Supermarket: 1.1 miles (17-minute walk or 5-minute drive).
Train Station: 1.1 miles (20-minute walk or 5-minute drive).
Hospital: 1.2 miles (17-minute walk or 5-minute drive).

The site allocation can be 'justified' as the Council has followed an appropriate strategy having taken into account the reasonable alternatives as part of the Local Plan process. The site was put forward for development by Devon County Council and was reviewed for development in the HELAA and considered suitable for housing development in the Reg 19 Local Plan.

The site allocation is considered to be sound as the plan has been '**positively prepared**' to meet the areas objectively assessed housing need, has been considered in accordance with the Local Plan process and would provide up to 21 residential dwellings to help meet the City Councils delivery target of 13,975 homes between 2021 and 2041. Forming part of the 5,369 homes on site allocations.

It should also be recognised that with the introduction of the revised NPPF in December 2024, the standard method of calculating housing need has been amended and it is likely a much greater housing need is required by Exeter City Council and more allocations for housing.

The site allocation would be '**effective**' as it will be available and deliverable in the next five years. It is a vacant previously developed land (see NPPF definition of previously developed land below) which is surplus to DCC requirements.

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). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed.

The site has all the necessary infrastructure for future housing development with connections to gas electricity and telecommunications and highways. The site has good drainage and surface water is disposed of via soakaways.

The site does not have any significant site constraints which would prevent development. It is not located in a sensitive environmental location or within a high risk flood zone. The site is located in flood zone 1 as shown on the environment agency flood risk maps.

The site would, therefore, be available and deliverable in the next five years to help Exeter City Council meet their 5 year housing land delivery targets.

Suggested amendment (to ensure soundness)

Although the Council as landowner is supportive of the allocation for 21 dwellings it is considered that with the site constraints, Listed Building, trees and ecology/BNG that a lower density of development would be more suited to this location. The HELAA originally suggested 10-15 units on the site which was increased by the Development Management Team suggesting the site could accommodate a 3-4 storey development of around 21 apartments. This may result in a more visually intrusive and cramped form of development within the Conservation Area and adjacent to the Listed Building. It is suggested that a lower number of say 15 dwellings would be more appropriate in this location and could be amended in the table in emerging policy H2.

(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.

N/A

(Continue on a separate sheet if necessary)

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.

Although the Council as landowner is supportive of the allocation for 21 dwellings it is considered that with the site constraints, Listed Building, trees and ecology/BNG that a lower density of development would be more suited to this location. The HELAA originally suggested 10-15 units on the site which was increased by the Development Management Team suggesting the site could accommodate a 3-4 storey development of around 21 apartments. This may result in a more visually intrusive and cramped form of development within the Conservation Area and adjacent to the Listed Building. It is suggested that a lower number of say 15 dwellings would be more appropriate in this location and could be amended in the table in emerging policy H2.

(Continue on a separate sheet if necessary)

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

Yes

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.

The site was considered in the Housing and Economic Land Availability Assessment HELAA and considered through the Local Plan process and consultation with the landowner and relevant consultees has taken place.

The Local Planning Authority has engaged constructively, actively and on an on-going basis with the landowner, neighbouring authorities and statutory bodies during the preparation of the plan and consideration of this site and have complied with the Duty to Cooperate.

(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.

N/A

(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.

N/A

(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.

N/A

(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

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:

To ensure the site allocation is thoroughly considered and to have the opportunity to address any further comments raised regarding the site during the examination.

(Continue on a separate sheet if necessary)

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 see read our privacy notice at the following website: <https://exeter.gov.uk/media/5750/planning-policy-privacy-notice.pdf>