

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	Bob
Last Name	van den Bichelaer
Job Title (where relevant)	
Organisation (where relevant)	Chex Developments Limited C/O Zinc RE UK Limited
Address Line 1	
Line 2	
Line 3	
Line 4	

Post Code

Telephone number

E-mail address

2. Agent's details if applicable

Title

Mr

First Name

Matthew

Last Name

Roe

Job Title (where relevant)

Director

Organisation (where relevant)

ROK Planning

Address Line 1

51-52 St. John's Square

Line 2

London

Line 3

Line 4

Post Code

EC1V 4JL

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

- Policy S2 – Liveable Exeter Principles
- CC3 – Local energy networks
- CC4 – Ground-mounted photovoltaic arrays
- Policy H2 – Housing allocations and windfalls
- Policy H3 – Regeneration opportunity areas
- Policy H10 – Purpose built student accommodation
- Policy EJ2 – Retention of employment land
- Policy STC3 – Supporting active travel
- Policy STC4 – Supporting public transport
- Policy NE6 – UGF
- Policy NE7 – Urban tree canopy cover
- Policy HH1 – Conserving and enhancing heritage assets
- Policy C2 – Development and cultural provision
- HW1 – Health and wellbeing
- Policy HW2 – Environmental

Policies Map

quality,
pollution and
contaminated
land

- Policy IF3 – Community facilities
- Policy IF4 – Open space, play areas, allotments and sport
- Strategic mixed use brownfield allocation: SBA2 - East Gate
- Evidence Base Documents:
- Heritage Impact Assessment of potential development sites dated 2024
- Views, Density and Heights Study prepared by Allies and Morrison dated December 2024

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)

Please see letter attached

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)

Please see letter attached

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)

Please see letter attached

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)

Please see letter attached

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 see letter attached

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)

Please see letter attached

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)

Please see letter attached

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 see letter attached

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)

Please see letter attached

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 see letter attached

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)

The contents of our attached letter covers issues regarding the soundness of the proposed policies and the points raised are of a complexity that warrants discussion in the form of hearing sessions.

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>

REF: R00768/EH/IN/MR
BY EMAIL ONLY - planning.policy@exeter.gov.uk

Exeter City Council
Civic Centre
Paris Street
Exeter
United Kingdom
EX1 1JN

6 February 2025

Dear Sir/Madam

**THE EXETER PLAN – FINAL DRAFT CONSULTATION (REGULATION 19)
REPRESENTATIONS ON BEHALF OF CHEX DEVELOPMENTS LIMITED C/O ZINC RE UK LIMITED**

ROK Planning have been instructed to make representations in respect of Exeter City Council's ('the Council') The Exeter Plan Final Draft Consultation (Regulation 19), on behalf of our client Chex Developments Limited C/O Zinc RE UK Limited ('the Client'). Public consultation is open from 12 December 2024 to 6 February 2025.

These representations follow on from our previous representations on behalf of the Client to the Outline Draft Consultation in December 2022 and the Full Draft Consultation in January 2024.

The Client's representations to the Final Draft consultation are focused on the following policies, site allocation and evidence base documents:

- Policy S2 – Liveable Exeter Principles
- CC3 – Local energy networks
- CC4 – Ground-mounted photovoltaic arrays
- Policy H2 – Housing allocations and windfalls
- Policy H3 – Regeneration opportunity areas
- Policy H10 – Purpose built student accommodation
- Policy EJ2 – Retention of employment land
- Policy STC3 – Supporting active travel
- Policy STC4 – Supporting public transport
- Policy NE6 – UGF
- Policy NE7 – Urban tree canopy cover
- Policy HH1 – Conserving and enhancing heritage assets
- Policy C2 – Development and cultural provision
- HW1 – Health and wellbeing

- Policy HW2 – Environmental quality, pollution and contaminated land
- Policy IF3 – Community facilities
- Policy IF4 – Open space, play areas, allotments and sport
- Strategic mixed use brownfield allocation: SBA2 - East Gate
- Evidence Base Documents:
 - Heritage Impact Assessment of potential development sites dated 2024
 - Views, Density and Heights Study prepared by Allies and Morrison dated December 2024

The comments are set out under these section headings below.

Policy S2 – Liveable Exeter principles

The Client broadly supports the Liveable Exeter principles, particularly the overarching objective of strategic, mixed use brownfield delivery in line with the NPPF, which includes the East Gate site allocation.

More specifically, the Client would like to comment on the first and third points of Principle 2 and the first point of Principle 3 of the policy which are worded as follows:

Build at optimal density, incorporating the highest appropriate densities in the most accessible and sustainable locations.

Enhance Exeter's natural, built and historic environments, particularly at gateway and arrival points, main routes into the city, city centre, the Ship Canal and Basin, the River Exe and the Valley Parks.

Provide a variety of high quality, affordable, market and specialist homes catering for local needs.

Similarly to our previous representations, in response to these points, the Client:

- Strongly supports the need to maximise high density development, especially in accessible and sustainable locations.
- Recommends that the high density development and tall buildings are encouraged in the gateway areas such as East Gate to create landmarks and mark entrances to the city centre. These locations are also suitably accessible and well connected to public transport.
- Similarly to the above, strongly supports enhancing the built environment at gateway areas of the city including East Gate.

- Supports the flexibility of Principle 3 in relation to housing mix and affordable tenure, as this is particularly essential for the viability of constrained city centre sites.
- However, the Client recommends that the policy acknowledges the importance of and makes direct reference to the delivery of purpose built student accommodation (PBSA) given its role in reducing the speed at which housing is converted to HMOs and subsequently relieving pressure on housing land supply.

Recommendation: Policy S2 is amended to encourage high density, tall buildings at gateway locations and to acknowledge the importance of PBSA within the housing mix.

Policy CC3 – Local energy networks

Policy CC3 (Local energy networks) is worded as follows:

Local energy networks are proposed in the following locations:

- a. Monkerton and Hill Barton;*
- b. The city centre, South Gate, Heavitree Road and Wonford;*
- c. Matford, Marsh Barton, Water Lane and Exe Bridges Retail Park;*
- d. Red Cow, New North Road and the University of Exeter; and*
- e. In other locations across the city where it is shown that it is feasible and viable to bring forward a local energy network.*

Within these areas, and throughout the city within 500 metres of any local energy network subject to a contractual commitment, all new development (either new build or conversion) with a floorspace of at least 1,000 square metres, or comprising ten or more homes, must be constructed to have heating (water and space) systems compatible with the proposed or existing local energy network and include provision for the necessary pipework connection from those in-building systems up to the appropriate site boundary to allow for future connection to the network when available, unless it can be demonstrated by the applicant at the detailed design stage, having regard to the type of development involved and its design, that this is not feasible or viable.

Elsewhere, any large scale residential or non-residential development proposal must demonstrate that consideration has been given to whether it is feasible and viable for that development to be connected to any local energy network

The Client objects to the requirement of connecting to a local energy network on the basis that:

- If an applicant is obliged to connect to a local energy network then they are forced to pay the

charges put in place by the network. As such, if the costs increase, the developer then has no choice but to pay – there is no flexibility to shop around for a different provider. Putting a developer in this position through policy is considered unlawful.

- If the applicant can provide evidence that another method is more sustainable or generates less emissions, then the policy should allow for this to be prioritised over connection to the energy network.
- Where the local energy networks are not yet in place, the policy does not consider the embodied carbon associated with the digging of these new network and the impact that this may therefore have on overall emissions.
- Local energy networks are very intricate, relying on specific and complex calculations to work. As such, if the way in which the network was powered were proposed to be changed, the network may no longer work for the buildings relying on existing connections. This may result in the networking being unsustainable.
- Where the network is not yet in place and buildings will be required to connect once available, the policy does not consider the embodied carbon involved in discarding the current heat/energy sources e.g. air source heat pumps, which are often working very efficiently as they are. This may therefore be counterproductive.

Recommendations: Policy CC3 is amended to remove the challenging and often unviable requirement to join a local energy network and instead consider and allow flexibility for the use of other methods of heat generation where it is demonstrated that these are more sustainable and efficient.

Policy CC4 – Ground-mounted photovoltaic arrays

The supporting text of Policy CC4 (Ground-mounted photovoltaic arrays) states that:

The Centre for Energy and the Environment (University of Exeter) was commissioned by the City Council to consider and map the potential for large scale ground-mounted photovoltaic (PV) arrays within the city. Whilst this high-level analysis does not assess suitability, it does suggest that there is potential for ground-mounted photovoltaic array development within the city boundaries...

Ground-mounted arrays will not be suitable for all sites.

On behalf of the Client, the following comments are made:

- Whilst the text states that not all sites will be suitable for ground-mounted photovoltaic arrays, it highlights that potential sites for arrays within the city are being considered.
- The Client recommends that the wording is expanded further to note that ground-mounted photovoltaic arrays will not be appropriate to many city centre sites, which will be constrained by a number of factors.

Recommendations: Policy CC4 is expanded to state that ground-mounted photovoltaic arrays are unlikely to be appropriate for city centre sites.

Policy H2 – Housing allocations and windfalls

- The Client strongly supports the allocation of East Gate within Policy H2 (Housing allocations and windfalls) for the provision of new homes with associated infrastructure.
- Whilst it is noted that the number of homes the Site is allocated for has been reduced (previously 850 but now 609), the Site area has also been reduced, and this has therefore not resulted in a reduced recommended density.
- The Client does however recommend that text is added to either the policy itself or the supporting text to confirm that 'homes' includes a multitude of accommodation types, namely PBSA.

Recommendation: Policy H2 and its supporting text is amended to add confirmation that the allocation of the listed sites for the provision of homes includes PBSA on appropriate sites mindful that they contribute positively to overall housing supply.

Policy H3 – Regeneration opportunity areas

Policy H3 (Regeneration opportunity areas) is worded as follows:

Development proposals for residential and a wider mix of uses that make more efficient use of brownfield land will be supported where they:

- a. Deliver sustainable development that conforms to the spatial strategy;*
- b. Enhance the urban environment;*
- c. Achieve acceptable levels of amenity for new and existing residents;*
- d. Avoid adverse impacts on the operation of existing uses; and*
- e. Ensure no loss of employment floorspace.*

Opportunities for regeneration may occur anywhere within the urban boundary. However, specific

potential is identified in the Marsh Barton and North Gate Regeneration Opportunity Areas.

Whilst the Client broadly supports the promotion of brownfield land for the development of residential and a wider mix of uses, the following comments are made on the inclusion of this new policy wording:

- “Residential and a wider mix of uses” does not provide clarification that other types of accommodation would also be suitable for these sites including PBSA.
- The Client also recommends that the policy wording is amended to remove the ‘Ensure no loss of employment floorspace’ criteria for locations such as East Gate, where the site has been identified as a strategic mixed use brownfield site, suitable for regeneration and allocated for a large housing capacity. It should instead be clearly stated that there are no restrictions on the loss of employment space as other uses may make more efficient use of the land.
- On the basis that ‘brownfield land’ would include the allocated ‘Strategic mixed use brownfield sites’ such as East Gate, the wording of Part e. of this policy also directly contradicts with the wording of the supporting text of Policy EJ2 (Retention of employment land):

“However, it is also important to make the most efficient use of land and, in a rapidly changing economy, it may be that some sites outside the established employment areas should be released for other uses...”

Existing employment land can also provide new opportunities for regeneration, combining housing and employment in ways that make more efficient use of land and meet the needs of growth sectors now and in the future. Importantly, such proposals will need to comply with Policy H3: Regeneration opportunity areas.”

- As detailed in the relevant section below, the Client also believes that the wording of Policy EJ2 is currently contradictory to both itself and its supporting text and should state that:

“Elsewhere [outside employment areas], the loss of employment land to an alternative use may be considered acceptable where the site is allocated for mixed use redevelopment”

- As such, the current criteria e. of Policy H3 would also conflict with the Policy wording of EJ2 as Policy EJ2 would allow for the loss of employment uses at strategic mixed use brownfield sites whereas Policy H3 resists the loss of employment uses on all brownfield land.
- The Client recommends that the wording of Policy H3 is amended to align with that of Policy EJ2. This will allow flexibility on the loss of employment uses, especially where there are vacancies or where the regeneration of the Site to other uses would make more efficient use of the land.

- Following the publication of the updated NPPF in December 2024, the Policy should also be updated to reflect the new wording of the NPPF paragraph 125 which states that substantial weight should be given *“to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused”*.

Recommendation: The wording of Policy H3 is amended to a) clarify that PBSA is also supported in these location, b) remove criteria e and c) reflect the updated wording of the NPPF.

Policy H10 – Purpose built student accommodation

Policy H10 (Purpose built student accommodation) is worded as follows:

Development proposals for purpose built student accommodation will be supported when they:

- a. Are located on the University of Exeter's campuses, in the city centre or on sites that are within controlled parking zones and well connected to the campuses, local services and facilities by walking, cycling and public transport;*
- b. Provide residents with high quality housing comprising a private bedroom in a cluster flat or studio that affords adequate functional living space and layout, within a wider development that includes sufficient communal facilities, services and external amenity space to meet student needs;*
- c. Are accompanied by a Transport Statement/Transport Assessment and Travel Plan and include no private car parking other than for blue badge holders;*
- d. Incorporate appropriate facilities for bike storage, vehicle drop – off and pickup and service vehicles;*
- e. Are in single ownership and control and professionally managed in accordance with a Management Plan; and*
- f. Are future-proofed in terms of design to support potential alternative uses as appropriate.*

Following the previous round of consultation, there have been a number of changes to the Policy and its supporting text that the Client strongly supports. These are as follows:

- The Client strongly supports the removal of *“Do not contribute towards an excessive concentration of purpose built student accommodation in the locality”* from the Policy wording.
- Similarly, the removal of *“Proposals should also not contribute to an excessive concentration of purpose built student accommodation in the locality, as this will not support the maintenance or creation of a mixed community”* from the Policy's supporting text is also endorsed.

- These amendments successfully reflect the fact that there is no robust or tangible evidence to suggest how an excessive concentration can occur and how this threshold can be measured or identified. It was also very ambiguous as to a) what was classed as the 'locality' as there was no clear definition provided and b) how the Policy would have accounted for existing PBSA developments suitable for redevelopment. The Client also argued that the policy wrongly amalgamated PBSA with the issue of HMOs, which is an entirely separate issue that should be considered under its own policy. In contrast to HMOs, PBSA developments require the submission of a student management plan, which ensures that they are well managed and controlled with occupiers required to abide by the obligations set out within these plans. Therefore, the concentration of PBSA developments in a locality is not linked to adverse impacts. Additionally, this wording directly contradicted Part a. of the Policy. If Part a. is directing PBSA development to select locations, then concentrations in these select locations would likely have increased more rapidly than concentrations in other locations. Therefore, the two parts of the Policy were unlikely to work cohesively.
- The draft replacement text – *“Consideration will be given to the potential local impacts of development so that potential issues for amenity are avoided and addressed appropriately in the context of the importance of mixed communities.”* – is considered more appropriate.
- The Client also supports the removal of *“The University currently forecasts more limited growth over the next few years, although this is uncertain due to the ever-changing landscape of higher education.”*, which did not reflect the continued strong growth of the university as detailed below and the subsequent increasing need for PBSA.
- Finally, support is also given for the retainment of the target for 75% of additional student numbers to be housed in PBSA.

Whilst the Client continues to support the policy's aim to support PBSA development in order to accommodate the growth of student numbers, there are still a number of ways in which the policy attempts to limit and restrict PBSA provision that the Client does not support. The Client therefore continues to make the following comments:

- Part a. of the policy seeks to place locational limits on PBSA development, restricting such accommodation to university campuses, the city centre and controlled parking zones.
- Whilst the Client agrees that PBSA should be in accessible, sustainable locations, close to transport links, the Client strongly disagrees with placing limits on PBSA development given the growing demand for bedspaces.

- The Policy's supporting text highlights that the number of full-time equivalent students has increased significantly from 11,170 in 2006/7 to 27,280 in 2021/22. The University of Exeter website also outlines that there has been a 17% increase in total student numbers from 25,241 in 2019/20 and 29,549 in 2023/24. It is therefore clear that demand for student accommodation is invariably strong and that PBSA development should be encouraged in order to ensure that demand does not outpace delivery, resulting in a heightened imbalance.
- Without the provision of PBSA to cater for this growth, conventional housing will be converted into HMOs at an increasing rate, exacerbating pressure on existing housing supply.
- Additionally, as acknowledged in NPPG and the Housing Delivery Test measurement rule book, PBSA contributes to housing delivery at a ratio of 2.4 student bedspaces to 1 C3 dwelling. Draft Policy H1 (Housing Requirement) targets the delivery of at least 642 homes per year between 2021 and 2041. The NPPF targets adopted in December 2024 are even greater, targeting the delivery of 800 homes per annum. Placing limits on PBSA delivery therefore reduces contributions towards housing delivery and subsequently the City's ability to meet increasing housing targets.

It is also noted that there have been additions to the supporting text of the Policy since the previous round of consultation. There are two additions that are of particular concern to the Client. These are as follows:

1. Firstly, the text states:

"In accordance with Planning Practice Guidance, purpose built student accommodation provided as studio flats will count towards Exeter's housing requirement on a 1:1 basis. All other forms of student accommodation will be regarded as communal housing and will therefore count towards Exeter's housing requirement on a ratio of 1.8:1, as the per the Housing Delivery Test Rulebook."

This quotes an incorrect ratio. The Housing Delivery Test measurement rule book, recently updated on 12 December 2024, differentiates between PBSA and other communal accommodation. The ratio used for PBSA is 2.4:1 (previously 2.5:1 before December's amendments) and the ratio for other communal accommodation is 1.9:1 (previously 1.8:1 before December's amendments). Therefore, the above text mistakenly quotes the ratio used for other communal accommodation as opposed to PBSA. As a result, and following the recent updates, the text should therefore be updated to state 2.4:1.

2. Secondly, the following text has also been added:

"Financial pressures on students have increased significantly in recent years. In its report on

Higher Education Funding in England (2017), the Institute of Fiscal Studies estimated that on graduation from a three year course, the average student debt nationally was £50,000 rising to £57,000 for students from the poorest backgrounds. Cushman and Wakefield's Student Accommodation Report (2023) concludes that Exeter is one of the most expensive cities for students in the United Kingdom in terms of rents charged for purpose built student accommodation. It is therefore vital that a range of purpose built student accommodation comes forward offering choice within the market to a variety of budgets. This should include a mix including cluster flats and standard bedrooms with shared bathrooms. Less expensive provision will promote equality of access to a university education and help encourage students to occupy purpose built student accommodation instead of HMOs"

From the above text, it is unclear how it is proposed to be established what constitutes a 'variety of budgets' or 'less expensive provision'. Further clarity would be required within the policy/supporting text wording in order for this element to be found sound.

In addition to this, the Client would also highlight that the provision of 'less expensive' accommodation will have viability impacts. Other policies within the draft Local Plan, for example those that concern the sustainability credentials of new development, come at an increased cost for developers. Therefore, when coupled with the provision of lower cost accommodation, this can detrimentally impact the viability of future schemes and developers may look to other cities where this is not a requirement. This would thus leave Exeter with an imbalance between student growth and PBSA development.

Furthermore, whilst the Client promotes a mix of student accommodation types including cluster flats, studios and standard bedrooms with shared bathrooms, the Client requests further clarity in the text to note that this should be based on the individual site's circumstances. The current wording is unclear and could be interpreted as a requirement that each development 'should include' both cluster flats and shared bathroom accommodation.

Recommendation: Policy H10 should be amended to remove locational limits on PBSA and the Policy's supporting text should also be amended to correct the PBSA Housing Delivery Test measurement rule book ratio and promote the development of different kinds of PBSA across the city but note that this should be based on a site's individual circumstances.

Policy EJ2 – Retention of employment land

The wording of Policy EJ2 (Retention of employment land) has been amended since the previous Full Draft Exeter Plan consultation. The updated wording is as follows:

The established employment areas at Southernhay, Matford, Pinhoe, Sowton, Exeter Business Park, Pynes Hill and Peninsula Park will be retained in employment use. Elsewhere, the loss of

employment land to an alternative use may be considered acceptable where the site is allocated for mixed use redevelopment, or where regeneration would make more efficient use of the land and would not result in any loss of employment floorspace, or where it is demonstrated that employment use is no longer viable and there is no reasonable prospect of the site being used for employment purposes in the future.

The Client objects to the amended wording, for the following reasons:

- The updates made to the wording of the policy are unclear and confusing.
- Previously, this policy clearly allowed for flexibility on the loss of employment floorspace where
 - a) Sites are allocated for redevelopment.
 - b) Where it is demonstrated that employment use is not viable or needed to meet current and long-term needs up to 2040
- In the updated wording, these exceptions have been amended to specify 'mixed use' redevelopment and change the wording on future viability. They have also been expanded to include "*where regeneration would make more efficient use of the land*".
- However, the wording of this additional point reads as follows "*Elsewhere, the loss of employment land to an alternative use may be considered acceptable ... where regeneration would make more efficient use of the land and would not result in any loss of employment floorspace*". The Client therefore argues that this sentence is entirely contradictory.
- The supporting text confirms that the Policy's aim is to protect employment floorspace in allocated employment areas whilst allowing for the change of use of employment land elsewhere in the specified circumstances, including areas suitable for regeneration:

"However, it is also important to make the most efficient use of land and, in a rapidly changing economy, it may be that some sites outside the established employment areas should be released for other uses..."

Existing employment land can also provide new opportunities for regeneration, combining housing and employment in ways that make more efficient use of land and meet the needs of growth sectors now and in the future. Importantly, such proposals will need to comply with Policy H3: Regeneration opportunity areas.

Policy EJ2 seeks to protect those established employment areas that are key to meeting our future employment needs, whilst elsewhere allowing for a change of use in certain specific and

evidenced circumstances.”

As such, the current wording appears to be a mistake and rewording or clarification is required, for example to remove *“and would not result in any loss of employment floorspace”*.

- The Client also recommends that the policy worded is expanded to specifically clarify and list the locations of *“where land is allocated for mixed use redevelopment”*, including the East Gate strategic mixed use brownfield site.
- Similarly to Policy H3, in locations such as East Gate, where the site has been identified as a regeneration area and allocated for mixed use development with a large housing capacity, it should be clearly stated that there are no restrictions on the loss of employment space.

Recommendation: The Client recommends that Policy EJ2 is reworded, for example to remove *‘and would not result in any loss of employment floorspace’* or that further clarification is provided. It should clearly state that there are no restrictions on the loss of employment floorspace in areas suitable for regeneration such as the strategic brownfield site, East Gate.

Policy STC3 – Supporting active travel

Policy STC3 (Supporting active travel) requires major development proposals to:

“Provide secure, enclosed parking or storage which can accommodate cycles, electric bikes, cargo bikes, adapted cycles, push chairs, mobility scooters and wheelchairs.”

The Client objects to this requirement based on the below points:

1. The current policy wording means that the provision of such storage is a blanket requirement across all major development and does not take into consideration how different types of development may require different provisions.
2. For example, a PBSA development will not require storage for push chairs and mobility scooters in the same way a C3 residential development would, due to the nature of the accommodation provided and the typical age range of occupiers (approximately 18-25).
3. PBSA is also likely to require lower levels of wheelchair and adapted cycle storage as students who require accessible provision are likely to be catered for by universities themselves in accommodation on or directly adjacent to campuses to reduce the distance the student needs to travel.

4. Neither the Policy nor the supporting text provide any evidence to justify the onerous blanket requirement for larger storage spaces across all types of development.
5. Experience across the PBSA sector shows that the uptake of standard cycle parking spaces is low and often significantly below council standards. Therefore, the overprovision of standard parking spaces is already an issue in PBSA developments and results in the unnecessary loss of additional PBSA bedrooms and amenity space. As a result, additional requirement for even larger storage spaces will only exacerbate the space lost to parking and storage which could instead be used to cater for growing demand for student bedspaces and greater amenity space for occupiers.

Recommendation: The Client recommends that the wording of Policy STC3 is amended to clarify that the required level of storage for these larger items is dependent on the type of development. For example, push chair and mobility scooter storage should not be required from PBSA.

Policy STC4 – Supporting public transport

The wording of Policy STC4 (Supporting public transport) is as follows:

Large scale development proposals of one hundred homes or more and major commercial development must:

- a. *Be located where high quality public transport is or can be provided through developer contributions;*
- b. *Deliver appropriately located bus stops with raised kerbs for inclusive bus access, high quality shelters and real time information and, where appropriate, suitable routes for bus priority; and*
- c. *Provide new local multi-modal transport hubs and interchanges making best use of existing bus, rail and walking and cycling routes.*

The Client objects to the current wording of this part of the Policy for the following reasons:

- The current wording of this Policy is onerous as it requires the delivery of bus stops and local multi-modal transport hubs from all large scale developments.
- This does not allow for flexibility based on the Site's individual location and characteristics which may favour the provision of select highways/transport improvements over others.

Recommendation: The Client therefore requests that greater flexibility is added to Policy STC4, with the above list provided as suggested or encouraged highways/transport improvements as opposed to required.

Policy NE6 – Urban Greening Factor

The wording of Policy NE6 (Urban Greening Factor) has been amended slightly since the previous round of consultation. It now reads as follows:

All major development proposals must be accompanied by an Urban Greening Factor (UGF) Assessment demonstrating how the development will achieve a UGF score of at least:

- a. 0.3 for predominantly commercial development; or*
- b. 0.4 for predominantly residential development (or 0.5 for predominantly greenfield residential development),*

unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable.

All major development proposals must also be accompanied by a Landscape And Ecological Management Plan to demonstrate that the urban greening will be successfully retained throughout the life of the development.

In relation to the updated policy, the Client makes the following comments:

- The Client notes and supports the addition of the following wording 'unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable'.
- However, it is recommended that the amendments go further to refer to these figures as target scores in line with the wording used by Natural England in their Urban Greening Factor Report 3.2 Version: 1.1 (January 2023).
- Accordingly, the language used should be amended to 'will target' as opposed to 'will achieve'.

Recommendation: Policy NE6 is reworded to remove 'at least' and state 'how the development will target a UGF score of:' as opposed to stating the scores as requirements that must be achieved.

Policy NE7 – Urban tree canopy cover

Policy NE7 (Urban tree canopy cover) states that:

All major development proposals must be accompanied by a Canopy Cover Assessment measuring the existing level of tree canopy cover onsite and setting out what increase will be achieved. Development proposals that result in an overall loss of tree canopy cover will not be permitted.

The Client queries this request on the basis of the following:

- The provision of a Canopy Cover Assessment for all major development proposals is an onerous requirement beyond those of many councils across the UK and especially in addition to the requirements for the provision of a Biodiversity Net Gain assessment, a Green Infrastructure Plan, and an Urban Greening Factor Assessment. The submission of a large number of reports all relating to the Natural Environment poses a risk of overcomplicating planning applications and slowing down the planning process.
- The preparation of such an assessment would require working closely with the Council to establish an agreed methodology as this detail is currently missing from the policy and the supporting text.
- In addition to this, the results of the assessment may end up very different from the reality without the agreement of a specified length of time for any new trees to reach the expected canopy spread in the assessment and sufficient maintenance. If for example the tree is to meet the canopy cover in 20 years it would in some instances lead to planting larger semi-mature trees which may not always be feasible, less sustainable and potentially or available from the UK. As such, further guidance would also be required as to the expected growth and size of different tree species over time to make it fair across schemes.
- Furthermore, in some circumstances a Canopy Cover Assessment could be at odds with a Biodiversity Net Gain Assessment where an increase in grassland metrics would be required to meet BNG as opposed to an increase in trees.

Recommendations: Policy NE7 should be amended to remove the requirement for a Canopy Cover Assessment for all major applications. If the Council wishes to request the assessment on a site-by-site basis where a site's specific requirements would warrant the need for the preparation and review of such a complex assessment, then further guidance should be provided in line with the above.

Policy HH1 – Conserving and enhancing heritage assets

The Client notes that there are discrepancies between Policy HH1 (Conserving and enhancing heritage assets) and the NPPF. The first two paragraphs of the Policy are worded as follows:

Exeter's iconic and ancient heritage will continue to make an essential contribution to the liveability, culture, economy and tourism offer of the city. Development proposals will be required to conserve and where appropriate enhance Exeter's rich heritage and to ensure that development makes a positive contribution to the historic environment and the cultural offering and identity of the city. All large scale development proposals will be required to improve access to, and interpretation of, the historic environment.

Development proposals that affect designated heritage assets and/or their settings will only be supported when they conserve and, where appropriate, enhance or reveal, the significance of the asset in the form of fabric, settings, character or appearance, and any features of special architectural, historic or archaeological interest.

The Client objects to this wording on the basis that:

- This is a direct conflict with the NPPF, namely paragraphs 215 and 221, as extracted below:

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use..."

Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies."

- Through stating that "development will be required to conserve" Exeter's heritage and that proposals "will only be supported when they conserve and, where appropriate, enhance or reveal, the significance of the asset" it removes the ability to balance the harm with public benefits that the above paragraphs of the NPPF allows for.
- The Policy is therefore missing key wording that states 'if development fails to conserve or enhance significance, any harm identified would need to be balanced against the public benefits'.

Recommendations: Policy HH1 should be reworded to align with the NPPF and allow for harm to be weighed against the public benefits of the scheme.

Policy C2 – Development and cultural provision

Policy C2 (Development and cultural provision) requires:

All planning applications for large scale development proposals should be accompanied by a Cultural Plan demonstrating how the development will contribute to local cultural provision in proportion to the scale of development.

The Client queries this requirement on the basis that:

- A Cultural Plan is not a recognised planning application requirement used by other councils across the UK.
- 'Large scale' is ambiguous and the exact size and nature of the development alongside the location of the development, the surrounding existing facilities and the type of development can all influence cultural provision requirements.
- Subsequently, a full Cultural Plan document may not be necessary or relevant to all large scale planning applications. For example, proposals that involve the loss/replacement/development of a cultural use would require greater commentary on the matter as opposed to a PBSA-led development. This requirement could therefore overcomplicate applications and unnecessarily increase the number of documents that consultants have to prepare and planning officers have to review, slowing down the planning process.
- As such, the requirement of such a plan should be determined on a case-by-case basis, with a separate document only required for those applications that involve cultural uses. For other large scale applications this could be covered within the planning statement if required.

Recommendation: Policy C2 is amended to determine the requirement for the submission of a separate Cultural Plan document on a case-by-case basis.

Policy HW1 – Health and wellbeing

Policy HW1 (Health and wellbeing) states that:

Contributions towards improved GP provision will be sought where necessary.

The Client objects to the inclusion of this point, making the following comments:

- In line with national legislation and guidance as well as general good practice, whilst we acknowledge S106 and CIL levies can both be used on a development to fund infrastructure, CIL and S106 requests should not both be used to charge for a certain type of infrastructure. Where development is CIL liable, it is unclear why CIL contributions cannot be used to fund any healthcare infrastructure requirements.

- Furthermore, Exeter's Annual Infrastructure Spending Statement (2023/24), lists an Integrated Primary Care Centre (Wonford Integrated Health and Wellbeing Hub) as a project which would be funded through CIL.
- In addition to this, the latest CIL Charging Schedule was adopted on 1 January 2024. Consultation on the draft charging schedule took place between 14 December 2022 and 25 January 2023. As part of this consultation, NHS Property Services submitted a letter (dated 25 January 2023), which states that *"The NHS and Council should work collaboratively to ensure the delivery of vital healthcare infrastructure, including access to CIL funds for the delivery of health infrastructure projects."* This shows that the NHS also encourage the use of CIL for the delivery of such projects.
- As such, if healthcare contributions were also to be sought through s106 contributions they would be duplicated and wrongly double counted.
- The current wording along with the supporting text does not provide enough clarification on what would constitute as 'where necessary'. This is in terms of both types of developments and the trigger for such contributions.
- For example, with regards to type of development, the Client argues that such contributions should not be sought from PBSA developments as:
 - a) A number of students may choose to register with the University of Exeter's Health Service as opposed to a local GP. The Student Health Service may therefore take a material amount of any increased demand
 - b) There may be students who are choosing to reside in a PBSA development over different or existing accommodation in Exeter, including those who may already live in the City. As a result, these students will not create increased demand.
 - c) Many students remain registered with their GP practice at their home address as opposed to reregistering with a practice at their university address.
 - d) PBSA developments will put less pressure on local healthcare services based on the fact that they are occupied by students who will predominantly be 18-25 year olds and who therefore typically access primary health care on a more infrequent basis compared to other age groups.
 - e) Students will not reside at PBSA for the full 52 weeks of the year as student tenancy agreements are shorter than this.
- With regards to the trigger that would need to be met for such a contribution to be justified, there is no information or evidence base provided to detail what this would be based on, how this would

be calculated and how a subsequent contribution would then be calculated and what this would then be spent on including the proximity to the site in question.

- As such, the Client argues that the current wording of the policy would lead to contribution requests that would not meet the statutory 'tests' set out in Regulation 122(2) of the CIL regulations.
- The matter of healthcare contributions has been deliberated in two recent court rulings including University Hospitals of Leicester NHS Trust vs. Harborough District Council [2023] and Worcestershire Acute Hospitals NHS Trust, R (On the Application Of) v Malvern Hills District Council & Ors [2023] EWHC 1995 (Admin) [31 July 2023].
- Key points that can be drawn from these cases are:
 - a) A s106 obligation should not be requested from a proposed development in a particular area unless there is a clearly demonstrated 'funding gap' required to address the additional demand arising from the population uplift associated with the residents of the new development.
 - b) This should usually be for part of the first year of occupation of a new residential development as, after that point, the forward funding arrangements in the NHS should provide for services to be funded.
 - c) In the absence of a clear 'funding gap', there would be no relevant impacts to justify a s106 contribution in accordance with CIL regulations.
 - d) The question as to whether healthcare contributions are in principle payable at all was left open. We are not aware of a later case that has taken this point any further.
- In accordance with this Case Law, the current ambiguous wording of the policy does not provide sufficient justification for capital contributions of this kind.

Recommendation: The point regarding contributions to GP provision should be removed from Policy HW1 as this is not legally compliant.

Policy HW2 – Environmental quality, pollution and contaminated land

The second paragraph of Policy HW2 reads:

Development proposals will only be permitted where, individually and cumulatively, taking account of proposed mitigation and remediation, there would be unacceptable impacts on:

- a. Environmental quality;*

- b. *Amenity;*
- c. *Air quality in and outside Air Quality Management Areas;*
- d. *Noise levels;*
- e. *Surface and ground water quality and quantity;*
- f. *Land and soil condition; and*
- g. *The future operation of existing businesses or facilities.*

The Client queries the current wording of the Policy:

- The current wording appears to mistakenly conflict with the policy's aim, stating that *'Development proposals will only be permitted where... there would be unacceptable impacts on...'*.
- The Policy should require no unacceptable impacts.

Recommendation: Policy HW2 is reworded to state that development proposals will only be permitted where there would be no unacceptable impacts.

Policy IC4 – Open space, play areas, allotments and sport

The second paragraph of Policy IF4 (Open space, play areas, allotments and sport) states that:

Residential development proposals will be required to provide, or make contributions to, a range of sports facilities, playing pitches, play areas, open space and allotments (including ongoing management and maintenance) to meet technical standards in accordance with an appropriate City Council needs assessment and the relevant adopted Supplementary Planning Documents or their successors.

On behalf of the Client, the following arguments are made:

- Firstly, by only stating *"residential development"* it is not suitably clarified how this policy is applied to different housing types such as build to rent housing, co-living housing, homes for older people and PBSA. For example, PBSA should be excluded from contributing towards play areas and allotments which are very unlikely to be used by student residents. Furthermore, amenity space within PBSA developments typically provides both indoor and outdoor spaces sufficient for leisure, socialising, and relaxation.
- Secondly, the wording also does not allow flexibility for those sites with sufficient existing provision in proximity to the development.
- Thirdly, the policy does not stipulate that these spaces or facilities are required to be in proximity

to the site in question. If a development is required to provide or contribute towards such spaces, then it should be mandated that these are in proximity to the site and therefore will benefit occupiers.

- Thirdly, the policy does not consider the capacity of the surrounding area for the provision of new spaces or facilities. For example, in the city centre which will comprise largely of brownfield land, capacity for the expansion of existing sites or the provision of new sites will be significantly constrained. In these circumstances, developments should not be forced to make a contribution towards spaces further away that will not be of benefit to its occupants just to accord with the policy.
- Consequently, the Client recommends that provision/contributions are based on a site-by-site basis and an assessment of existing spaces or facilities in the surrounding area and the capacity of the surrounding area to provide new spaces.

Recommendation: The wording of Policy IC4 is amended to state that the requirement for residential development to provide, or make contributions to, a range of sports facilities, playing pitches, play areas, open space and allotments (including ongoing management and maintenance) will be assessed on a site-by-site basis and not be applied to all types of housing.

Strategic mixed use brownfield allocation: SBA2 - East Gate

The final set of comments relate to the East Gate strategic mixed use brownfield site allocation (SBA2):

1. Firstly, the Client continues to support the site's allocation for mixed-use development, including residential use.
2. The Client also maintains strong support for point A of the allocation, which states that housing developments should be built to optimal densities.
3. As aforementioned, the Client notes that the Site's capacity has reduced to 609 homes, however the allocated area has also reduced to 6.1 hectares. As such, this has not resulted in a reduced recommended housing density. Consequently, the Client upholds their support, especially due to the Site's location in the city centre, its role as gateway entrance and the encouragement of optimal densities within the Site.
4. Following on from the above point, as the site contains a gateway location, suitable for high density development, the Client continues to argue that the policy text should specify that East Gate area is a suitable location for tall buildings where appropriate. Specifically, the Clarendon House site, located on the Western Way roundabout, provides an ideal location for a landmark

building to mark the entrance to the city centre.

5. Thirdly the site allocation states that the site is suitable for a mix of housing types. However, the Client recommends that the allocation goes further to specify the types of housing supported. This includes PBSA as the student population should be afforded an equal standing to residents given their significant contribution to both the local and wider economy. The Client suggests the specific inclusion of PBSA in the site allocation for the following reasons:

- East Gate is located in the city centre, with excellent access to public transport, shops and services. This is therefore a sustainable and suitably accessible location for PBSA development.
- The site is also conveniently situated a short walking distance from St Luke's Campus and within walking distance or a short cycle/bus ride from Streatham Campus. This further supports the site's suitability in terms of location for PBSA development.
- Following on from the comments in relation to Policy H8 above, PBSA development holds the ability to make much needed contributions towards housing delivery targets.
- As stated under Policy H8, the student population at University of Exeter is growing and therefore demand for PBSA is invariably strong. Without the provision of new PBSA, supply will not be able to cater for the demand and housing will be converted to HMOs at an increasing rate. This will exacerbate pressure on the existing housing supply. Therefore, there is a clear need for PBSA.
- Local businesses, services and other facilities will greatly benefit from the support of increased student expenditure and part time employment as well as graduates that choose to stay in the city.
- PBSA development will be car free with the exception of disabled parking and therefore this type of development will be suitable for the city centre location of the site.
- Additionally, PBSA development often provides active ground floor uses such as retail, commercial and community facilities. These active frontages are vital for city centre locations such as East Gate, which further proves the suitability of PBSA development within the site.
- More specifically, the Clarendon House site, which falls within the East Gate allocation, should be noted as a site particularly suitable for PBSA development due to its location on the Western Way roundabout meaning it is unsuitable for other residential development

such as build to rent or co-living given the balconies that would be required and the subsequent noise and air quality impacts.

6. The Client would also argue against the addition of 'A layout and built form informed by the Exeter Views, Density and Heights Study and archaeological and heritage assessment, evaluation and mitigation' to the Policy wording on the basis of the arguments made in the relevant section of the letter below that relates to the study in question.

Recommendation: The wording of 'Strategic mixed use brownfield allocation: SBA2 - East Gate' should be amended to:

- a. Note the suitability of the site for a tall building due to its city centre gateway location and recommended high density development, particularly at Clarendon House.
- b. Specify that PBSA would be a land use supported within the site, particularly at Clarendon House.
- c. Remove the addition of the requirement to align with the Exeter Views, Density and Heights Study.

Evidence Base Document – Heritage Impact Assessment of potential development sites dated 2024

This Heritage Impact Assessment is a new addition to the Evidence Base for the emerging Exeter Plan, released as part of the Regulation 19 round of consultation. On behalf of the Client, the document (prepared by Exeter City Council dated 2024) has been reviewed, and with input from Icen Projects' Heritage and Townscape Team, the following comments are made:

- Firstly, it is queried why, on the contents page, select sites are shown in bold. It is acknowledged that the list is taken from Exeter's 2024 HELAA, however the HELAA does not show some sites in bold in the same way. There also does not appear to be a correlation between the site's shown in bold and any of the allocations in the draft local plan.
- With regards to Page 231 which covers the site at Clarendon House, the Client would argue that the relevant recent planning history should include the EIA Scoping Request (application reference 24/1196/SO), which was determined on 2 December 2024.
- Looking to the 'Conservation Area' section of the Clarendon House Assessment table, this misinterprets Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The act states that:

"with respect to any buildings or other land in a conservation area ... special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

The table confirms that the Site lies adjacent to and in proximity of conservation areas and goes on to say that as a result of this development proposals must conserve and enhance the character and appearance of the conservation area. This does not align with the wording of Section 72 (1) which applies this requirement only to buildings or land that lies within a conservation area. As such, the Client recommends that the misuse of the Section 72 (1) wording is replaced by a more robust position is applied using NPPF paragraph 219. This encourages development in the setting of heritage assets *“to enhance or better reveal their significance”* and favours *“proposals that preserve those elements of the setting that make a positive contribution to the asset”*.

- Within the ‘What impact would development have on that significance?’ section, no assessment is made of the baseline context and the impact that this has on the setting of heritage assets. The impact of the redevelopment of the Site requires consideration against the present modern context of the area and the extent to which surrounding modern buildings have already altered the historic setting of nearby heritage assets.
- The ‘What mitigation could be provided to maximise enhancements and avoid harm?’ section describes that there is a ‘wealth of heritage directly adjacent to the site’. The Client would strongly disagree with this statement as Exeter’s *“wealth of heritage”* arguably lies within the historic core of the city centre. This is signified by the City Centre Conservation Area and a high density of listed buildings. In comparison, the Clarendon House Site lies directly adjacent to:
 - a) Lower Summerlands Conservation Area, the setting of which has already been altered by surrounding modern buildings
 - b) Two Grade II listed buildings (Eaton Place and Eaton’s Place) the significance and setting of which has been heavily diluted by extent of traffic on Heavitree Road which distracts from appreciation, and the reconfiguration of the historic street pattern which has resulted in the loss of the primary setting.
- In the same paragraph, it states:

“In accordance with the NPPF, for development to be acceptable, the level of harm to known heritage assets would require a clear demonstration of public benefit that outweighs and justifies the degree of harm caused.”

This misquotes the NPPF which states that *“this harm should be weighed against the public benefits of the proposal”*. The Client therefore recommends that the wording is amended to align with that of the NPPF.

- The document gives the Clarendon House site a Heritage Impact Assessment RAG Rating of

'Amber'. On Page 7 of the document, 'Amber' is defined as follows:

***"Amber** – Development will cause harm to the significance of the historic environment/asset(s) without mitigation. Appropriate mitigation measures, including negotiation on future design, layout and massing, together with the appropriate use of conditions, may enable development to be acceptable."*

If this current definition is taken forward and applied to Clarendon House, this creates a presumption that any development of the Site will result in 'harm' to the significance of heritage assets. For the reasons listed above regarding the existing baseline and diluted significance of nearby assets, the Client argues that this should not be the automatic presumption and that this should instead be lessened to a position of less than substantial harm, which would give the site a 'Yellow' rating in accordance with the definitions on Page 7. Alternatively, the definition of 'Amber' should be amended to be classified within the spectrum of less than substantial harm.

Views, Density and Heights Study prepared by Allies and Morrison dated December 2024

This Views, Density and Heights Study is also a new addition to the Evidence Base for the emerging Exeter Plan, released as part of the Regulation 19 round of consultation. The document, dated December 2024, is split into two stages – Stage 1: Skyline and Views Report and Stage 2: Sites Report.

As above, the following comments are made on the document on behalf of the Client and with input from Icen Projects' Heritage and Townscape Team:

- In relation to 'Step One' of the methodology, 'review', the list of documents reviewed does not differentiate between those that are adopted policy documents and those hold less weight. The 'Grecian Quarter, Exeter, Devon Height Constraints Analysis' was a study prepared for ECC by Alan Baxter dated November 2008 which looked at potential building heights. This document is no longer available to view on Exeter's website and does not form part of adopted planning guidance. The Liveable Exeter document is also not adopted planning guidance but instead a conceptual, strategic vision for the area intended to inform the preparation of the new local plan. The same can be said for the Exeter Density Study prepared by LDA Design and dated July 2021, which is also intended to be part of the evidence base for the local plan rather than planning guidance.
- Referring to steps 3 and 5, the Client would question the lack of winter context views as it appears that views were only taken in Summer between July and August 2024. This therefore does not take into account the varying foliage density throughout the year, which in turn impacts the level of screening in a given view.

- Page 45 lists a number of viewpoints which are considered to have historic significance. This list should arguably be amended to include Dunsford Road. In a pre-application response for the Site at Clarendon House, Historic England have advised that Dunsford Road is one of the principal historic routes into the Roman, Medieval and Saxon city of Exeter leading to its west gate. They state that there has been a long-standing historic association between this principal route into the city and the appreciation of the Cathedral as the city's landmark structure. As such, they place greater weight on this view in terms of the appreciation and significance attributed to the Cathedral. Based on the importance that Historic England associate with this view, it is unclear why it is not included in the list.
- Pages 56 and 57 look at the 'A02 Dunsford Road / Cowick Street' view. Regarding the 'Significance of the view' section, this states that the view *"allows you to appreciate the scale of the Cathedral"*. The Client suggests that this should be amended to clarify that this is only of the upper sections of the Cathedral not the full scale as this has already been lost due to development.
- The Client also recommends that the penultimate sentence of the same paragraph is reworded. This currently states that:

"The view has existed for many centuries and experienced by many people, the busy thoroughfare will continue to be viewed by many people and is therefore very significant."

This is misleading as it does not explain how the view has been subject to change through development, not least with the John Lewis Building and Holiday Inn, as well as the bulk of modern buildings in the foreground of the view. It is important to stress that this is not a wholly preserved 12th century view that the current text makes out.

- The 'Managing Change' section suggests that:

"Around the Cathedral, development should also not exceed the tree-line, so the Cathedral remains the most prominent feature on the skyline."

The Client strongly objects the use of the treeline to limit developable heights as trees do not remain at a set height, they grow so the height will change.

- The paragraph goes on to state that:

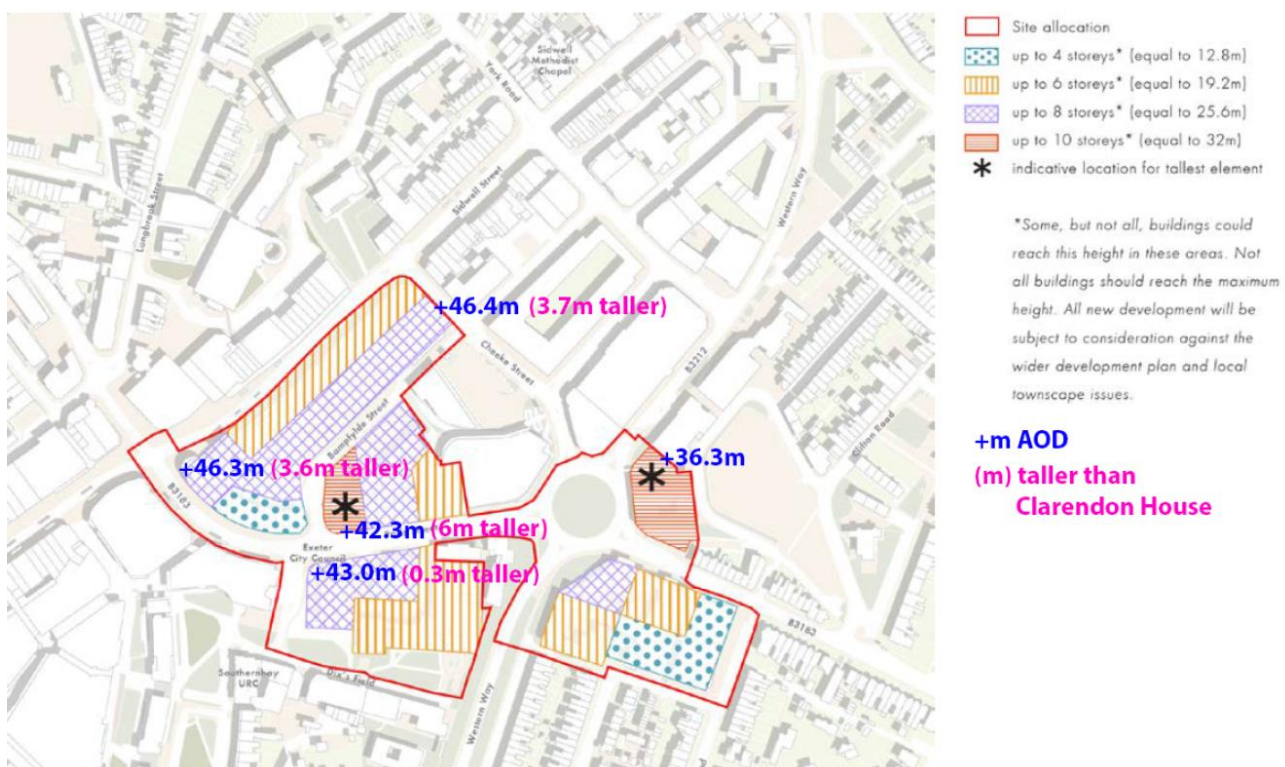
"It is a kinetic view, changing as the viewer winds down the hill. The relationship between any new development and the Cathedral will change as the viewer moves along the route."

This changing view is further alluded to in the 'Enhancing the view' section, which argues that:

"Should redevelopment be appropriate in the future, a collection of smaller massings would be beneficial. On the route itself, once you pass Dunsford and Orchard Gardens the road lacks greening (other than the St Thomas gardens)."

This suggests that the viewpoint location may not be a representative view. If ECC consider this to be a significant view, which changes along the road, the point of greatest significance should be accounted for.

- Throughout Part 2 of the document there appears to be a lack of consideration for topographical differences between sites. For example, in East Gate, two locations are shown as suitable locations for the tallest element of up to 10 storeys. However, this does not take into account the depression towards the roundabout which would result in 10 storeys at the Clarendon House site appearing lower on the skyline in comparison to 10 storeys at the site on the junction of Paris Street and Bampton Street.



- This is illustrated on the topographical survey diagram above which shows the height in metres AOD of the suggested storeys for East Gate as well as the m taller than Clarendon House. This confirms that whilst both sites are indicative locations for taller buildings, 10 storeys at the site on the junction of Paris Street and Bamptylde Street would result in a building 6m taller than that at Clarendon House. Three of the sites allocated for heights of 8 storeys, would also be taller than 10 storeys at Clarendon House. Thus, without consideration for topographical differences, the suggested storey heights would not result in the landmark tall building envisaged at the Clarendon House site.
- A further example is on Page 20, where the topography of the river basin location is not accounted for. The Client argues that the suggested heights should be amended to take this into account.
- On Page 6 of the document, regarding the 'Character' of East Gate, it states that:

"To the south of Paris Street the Council office buildings are a notable and important landmark, reaching 5 and 6 storeys tall."

This is a direct conflict with ECC's Southernhay and Friars Conservation Area Appraisal document, which states that 'the Civic Centre is an entirely alien structure made of uncompromising concrete panels'. Later in the document it is also noted as a 'building which makes a negative contribution'.

- Similarly to the comment on Part 1 above, Dunsford Road, is again missing from the Key Views listed on Page 11. As discussed previously, as part of pre-application discussions for the Site at Clarendon House, which lies in East Gate, Historic England have advised that Dunsford Road is one of the key views. As such, it should arguably be included in the list.

Conclusion

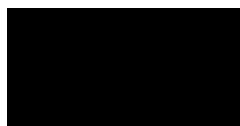
In conclusion, on behalf of the Client we have made a number of comments on the Final Draft Exeter Plan as part of the public consultation that is running until 6th February 2025. These comments focus on a number of policies, the East Gate site allocation and the two heritage related documents from the evidence base.

If you require further clarification or wish to discuss this further, please do not hesitate to contact either Erlina Hale [REDACTED], Imogen North [REDACTED] or myself at this office.



ROK Planning Ltd
51-52 St. John's Square
London
EC1V 4JL

Yours faithfully,



Matthew Roe
Director
ROK Planning Ltd

