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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	Councillor
First Name	Diana
Last Name	Moore
Job Title (where relevant)	Leader of Green Group. Submission on behalf of Cllrs Moore, Banyard, Read, Rees, Bennet, Wetenhall, Ketchin & Cllr Palmer
Organisation (where relevant)	Exeter City Council
Address Line 1	% Civic Centre
Line 2	Paris St



Line 3

Exeter

Line 4

Post Code

EX1 1JN

Telephone number

E-mail address

2. Agent's details if applicable

Title

First Name

Last Name

Job Title (where relevant)

Organisation (where relevant)

Address Line 1

Line 2

Line 3

Line 4

Post Code

Telephone number

E-mail address

Part B – Representation

Please use a separate sheet for each representation

3. To which part of the Exeter Plan does this representation relate?

Paragraph

Policy

Policies Map

4. Do you consider that this part of the Exeter Plan is legally compliant?

Yes

No

4 (a). If yes, and you wish to support the legal compliance of this part of the Exeter Plan, please use this box to set out your comments.

(Continue on a separate sheet if necessary)

4 (b). If no, please give details of why you consider this part of the Exeter Plan is not legally compliant. Please be as precise as possible.

(Continue on a separate sheet if necessary)

The policy is trying to enable the provision of homes for those who are often suffer disadvantage or discrimination with protected characteristics as set out under the Equality Act 2010:

"It includes, but is not limited to, housing for children in care, young people leaving care or with other support needs, people with physical and learning disabilities or those with mental health challenges who require additional support or for whom independent living is not possible, victims of domestic abuse, rough sleepers and people leaving hostels and refuges." [preamble 6.49]

The policy says (emphasis mine):

"Development proposals for good quality supported housing which meet an identified need will be supported when they:

...

f. Do not result in unacceptable harm to the amenity of neighbouring residents; and.."

This compares unfavourably and is not consistent with other policies such as that for students in PBSA, which has an alternative clause:

"H10 Are in single ownership and control and professionally managed in accordance with a Management Plan; and"

The Council must consider its Public Sector Equality duty¹ to

- eliminate unlawful discrimination, harassment, victimisation and any other unlawful conduct prohibited by the act
- advance equality of opportunity between people who share and people who do not share a relevant protected characteristic
- foster good relations between people who share and people who do not share a relevant protected characteristic

The Equality Act prohibits direct and indirect discrimination, which could be the result of this policy. In particular indirect discrimination can arise where a policy or practice which seems neutral actually puts a person with a protected characteristic at a particular disadvantage.

The Council also has a duty: "Advancing equality of opportunity" means having due regard, in particular, to the need to:

- remove or minimise disadvantages suffered by people due to their relevant protected characteristics
- take steps to meet the different needs of people who share a relevant protected characteristic
- encourage participation in public life or any other activity by underrepresented groups
- take steps to meet the different needs of disabled persons

The policy provides no evidence that the residents of supported housing themselves or such supported housing might result "unacceptable harm" to the neighbourhood.

The policy also fails to set out how it will affect people with different protected characteristics compared to others in the population such as those living in PBSA or Co-living. These are the most relevant similar types of shared accommodation which have no policy in relation to 'unacceptable harm on amenity', although arguably could present such a harm, given the high density large scale nature of such accommodation resulting in large number of people in a small area of a neighbourhood. The policy H9 is therefore detrimental to people with one protected characteristic more than it would be to others.

The policy requires public bodies to monitor the actual impact of the policy so to the provision of such housing and its management plan should be monitored to ensure that it is meeting needs in the community.

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.

¹ [Public Sector Equality Duty: guidance for public authorities - GOV.UK sections 149 to 157 of the Equality Act 2010](#)

Remove reference to "Do not result in unacceptable harm to the amenity of neighbouring residents"

replace with:

"Are in single ownership and control and professionally managed in accordance with a Management Plan."

Include in the monitoring section an Indicator, Target and Delivery Mechanisms in relation to H9

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

Yes

No

5 (a). If yes, and you wish to support the soundness of this part of the Exeter Plan, please use this box to set out your comments.

(Continue on a separate sheet if necessary)

5 (b). If no, please give details of why you consider this part of the Exeter Plan is unsound. Please be as precise as possible.

(Continue on a separate sheet if necessary)

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)

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

Yes

No

6 (a). If yes, and you wish to support this part of the Exeter Plan's compliance with the duty to co-operate, please use this box to set out your comments.

(Continue on a separate sheet if necessary)

6 (b). If no, please give details of why you consider this part of the Exeter Plan fails to comply with the duty to co-operate. Please be as precise as possible.
(Continue on a separate sheet if necessary)

Please note that non-compliance with the duty to co-operate is incapable of modification at examination.

7. If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.
(Continue on a separate sheet if necessary)

8. If you would like to make representations on the Habitats Regulation Assessment (HRA) please provide your comments here, stating to which part of the HRA your comments relate.
(Continue on a separate sheet if necessary)

Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

9. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in

Yes, I wish to participate in hearing session(s)

✓

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)

As councillors (some of whom have sat on the planning committee) we have experience of trying to work with planning policy in practice and how planning decisions are taken within the Council.

As ward Councillors we have experience of how planning policy affects the community and local environment and the extent to which it may or may not be effective in achieving the stated policy outcomes. We are also advocates for our communities and have identified where planning policies are not effective in terms of meeting positive planning outcomes for our communities and local environment.

The issues we have commented on in these representations are ones which concern us most (having made previous representations). However, it should be noted that, there has been no opportunity for formal Scrutiny (as set out in the Local Government Act) of the local plan policies, despite our numerous formal requests. While the strategic direction was set by the administration and approved by Council it should be noted that the emerging plan policies have not subject to any formal political oversight, for example in a council strategic planning committee. Our group has objected to the process. We are therefore having to make a number of representations to the Inspector on the matters that will have the most impact on our communities and environment.

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

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