

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

Damien

Last Name

Lynch

Job Title (where relevant)

Associate Director

Organisation (where relevant)

Planning Issues Ltd on behalf of Churchill Living and McCarthy Stone

Address Line 1

Churchill House

Line 2

Parkside

Line 3

Ringwood

Line 4

Post Code

BH24 3SG

Telephone number

E-mail address

2. Agent's details if applicable

Title

As above

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 draft policy (CC1) seeks the following:

The City Council has an ambition for the city to be net zero by 2030. Development proposals will be required to demonstrate how they will support the achievement of net zero through each of the following: a. Considering location, urban form, density and place-specific solutions; b. Minimising the need to travel and maximising walking, wheeling, cycling and public transport; c. Applying a fabric first approach to maximise energy efficiency; d. Maximising renewable and low carbon energy generation; e. Minimising operational and embodied carbon emissions; f. Applying the principles of the circular economy; g. Utilising SuDS and other nature-based solutions to deliver flood risk management; and h. Providing green infrastructure, biodiversity net gain and landscape-led schemes. All major development proposals will be required to submit a Net Zero Statement setting out how the development will address each of the requirements of the policy.

Policies CC2-CC9 are an extension of the above strategic policy.

Whilst the Council's commitment to meeting both its and the UK Government's target of net zero carbon emissions is commendable, it appears that the Council is going to achieve this through having carbon and climate standards from adoption of the plan that may go beyond government targets.

However, it is our view that any requirement should be 'stepped' in line with Government targets and the proposed changes to the building regulations and the section amended substantially.

This approach is confirmed within the Ministerial Statement (statement no : Statement UIN HCWS123 available from [Written statements – Written questions, answers and statements – UK Parliament](#)) released on 13th December 2023. The ministerial statement confirms, with respect to the net zero goal that:

'The improvement in standards already in force, alongside the ones which are due in 2025, demonstrates the Government's commitment to ensuring new properties have a much lower impact on the environment in the future. In this context, the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations. The proliferation of multiple, local standards by local authority area can add further costs to building new homes by adding complexity and undermining economies of scale. Any planning policies that propose local energy efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed rationale' and 'To be sound, local plans must be consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework and other statements of national planning policy, including this one'

It is unclear how these requirements are costed and measured within the plan wide viability study and expected to be applied to development typologies which are shown to be unviable with other requirements e.g. affordable housing.

Looking specifically at housing for older people, the council has failed to demonstrate that the cumulative effects of policy would allow such proposals to viably come forward.

'Policy requirements, particularly for affordable housing, should be set at a level that takes account of affordable housing and infrastructure needs and allows for the planned types of sites and development to be deliverable, without the need for further viability assessment at the decision making stage'. (Paragraph: 002 Reference ID: 10-002-20190509).

As drafted, the plan fails to demonstrate sufficient flexibility to ensure that proposed policies will not simply stop certain typologies coming forward. In many cases, the council is ignoring the findings of its viability study which will result in workable policies for developers.

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)

The Council should re-consider the Policies CC1 – CC9 to ensure requirements are not going beyond government targets in line with the ministerial statement UIN HCWS123.

As drafted, this range of policies are unclear as to how and when zero carbon development standards will be fully implemented. However, it is clear that the expectation is that this will be before the government's current expectation. This will place significant pressure on development in Exeter as technology and economies of scale will not exist in line with national expectations. There is a danger that developers and investors will simply choose to invest elsewhere if policy goes too fast and too soon. It is unclear how the plan addresses these risks to ensure policies are deliverable.

It is recommended that targets are firstly shown to be fully viable and deliverable in the form of the plan wide study with appropriate costings transparently applied. Secondly, the targets should be flexibly applied with reference taken to building regulation updates at the appropriate times in line with national policy movement on each matter.

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

Yes

No

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

(Continue on a separate sheet if necessary)

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

(Continue on a separate sheet if necessary)

The policy ignores the requirements of national policy and the viability PPG to test viability on a typology basis and prepare policy in view of the findings of this evidence base.

The council's evidence base is clear that the proposed infrastructure requirements in respect of zero carbon standards cannot be delivered on housing for older persons proposals together with the full range of other requirements.

5 (c). Please set out the modification(s) you consider necessary to make this part of the Exeter Plan sound, in respect of any soundness matters you have identified at 5(b) above.

You will need to say why each modification will make this part of the Exeter Plan sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.

(Continue on a separate sheet if necessary)

The Council should re-consider the Policies CC1 – CC9 to ensure requirements are not going beyond government targets in line with the ministerial statement UIN HCWS123.

Exemptions must be allowed where viability is an issue.

It is recommended that the council reconsider the drafting of these policies given the cost impact and uncertainty surrounding timings. This is likely to create significant uncertainty for investors in house building given that the policies as drafted are unclear.

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)

N/A

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)

N/A

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)

N/A

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)

N/A

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 delivery of housing for older people represents a critical need as set out within national planning policy and guidance. Our client's represent two of the largest providers operating across the UK and are well placed to advise on policies which will ensure this typology is delivered successfully across the plan period.

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>