

Exeter Local Plan

Examination

Matter 1: Legal Compliance

Date at Examination: 3rd March 2026

Devon County Council Position Statement

11th February 2026

Devon County Council
County Hall
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1. Introduction

1.1. Purpose of this Statement

- 1.1.1. This statement has been prepared to answer the questions and address the associated issues as posed by the Planning Inspectors in relation to Matter 1 of the Exeter Local Plan (2022-2042) Examination.
- 1.1.2. This statement relates to Issue 1 questions 1, 2, 4, and 5 of Matter 1 (Legal Compliance).
- 1.1.3. It should be noted that this statement does not cover all of the questions raised by the Planning Inspectors in relation to Matter 1, but focuses upon those where Devon County Council (DCC) has a specific interest in order to fulfil its statutory responsibilities, in this case regarding county infrastructure.

1.2. Summary of Devon County Council position

- 1.2.1. The county council has no objection to the legal compliance of the plan and is of the view that Exeter City Council has met the requirements of the Duty to Cooperate with regards to engagement with the county council.
- 1.2.2. Following ongoing regular discussions with Exeter City Council throughout the plan-making process the county council is in a position to be satisfied with the content of the plan subject to the relevant suggested modifications contained within document CSD-03: Exeter Plan Schedule of suggested modifications being accepted. The inclusion of these suggested modifications will ensure that the county council is able to meet its statutory duties and development can be accommodated.

2. Questions

2.1. Issue 1 Question 1

Taking the above into account, what evidence can the Council point to which demonstrates that it has engaged constructively, actively and on an ongoing basis in relation to the known cross-boundary issues?

- 2.1.1. DCC considers that the city council engaged with the county council constructively, actively and on an ongoing basis in relation to the known cross-boundary issues and all other relevant matters. The suggested modifications contained within document CSD-03: Exeter Plan Schedule of suggested modifications are a culmination of this positive and proactive engagement through which it was possible to reach common ground across all relevant areas.

2.2. Issue 1 Question 2

Are there any remaining issues (such as grid capacity or sports facilities) to resolve in relation to matters of soundness or legal compliance?

- 2.2.1. The county council considers there to be no remaining issues to resolve in relation to matters of soundness or legal compliance.
- 2.2.2. DCC notes the Inspectors' comments in Issue 1 paragraph 2 with regards to DCC's agreed Statement of Common Ground (SoCG) (DTC-03b) and the delivery of Gypsy, Roma and Traveller pitches via windfall sites. The issues the county council raised in its Regulation 19 consultation response have now been resolved as a result of ongoing discussions with the city council, as detailed within the SoCG. This position is addressed in greater detail as part of DCC's response to Matter 7, Issue 4 which includes agreement to the modification proposed under reference SAMM42 in document CSD-03: Exeter Plan Schedule of suggested modifications, ensuring an ongoing review of need and delivery of gypsy and traveller accommodation. Subject to proposed modification SAMM42, DCC considers the plan to be sound regarding gypsy and traveller provision.

2.3. Issue 1 Question 4

Has the Duty to Cooperate under sections 22(5)(c) and 33A of the 2004 Act and Regulation 4 of the 2012 Regulations been complied with, having regard to the advice contained in the National Planning Policy Framework ('the Framework') and the Planning Practice Guidance ('the PPG')?

- 2.3.1. DCC considers that the city council has complied with the Duty to Cooperate under sections 22(5)(c) and 33A of the 2004 Act and Regulation 4 of the 2012 Regulations, having regard to the advice contained in the National Planning Policy Framework ('the Framework') and the Planning Practice Guidance ('the PPG').

2.4. Issue 1 Question 5

Is the Plan consistent with paragraphs 24 to 27 of the Framework which require strategic policy-making authorities to maintain effective cooperation on strategic matters that cross administrative boundaries?

- 2.4.1. DCC considers that the plan is consistent with paragraphs 24 to 27 of the framework. DCC and the city council maintained an ongoing collaborative approach to identify and resolve relevant strategic and cross boundary matters throughout the plan process. Both authorities were also proactive in preparing and maintaining a statement of common ground in accordance with paragraph 27 of the framework and remain committed to effective and on-going joint working.