

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 on Viability states that:

Where policy compliant infrastructure requirements and/or contributions are not provided due to an agreed viability reason, the viability of the proposal will be reviewed every three years in accordance with the requirements of this policy to seek to achieve full policy compliance in later development phases

Notwithstanding our general comments in respect of policy H4 (not viable for older persons housing and an exemption should apply), the PPG is clear that the terms of engagement for viability review should be clearly set out within policy. In order to introduce such a mechanism, there must be a clear and specific policy basis for any review mechanism being imposed in line with PPG Viability para 009 Reference ID: 10-009-20190509. This states the following:

'Plans should set out circumstances where review mechanisms may be appropriate, as well as clear process and terms of engagement regarding how and when viability will be reassessed over the lifetime of the development to ensure policy compliance and optimal public benefits through economic cycles. Policy compliant means development which fully complies with up to date plan policies. A decision maker can give appropriate weight to emerging policies.'

The requirement for a review mechanism is not supported by any justification, evidence, or process where specific inputs to be included within any review mechanism, could be considered in public examination. For example, certain exemptions should be introduced such as to smaller sites, that are built in one phase. The Planning Inspectorate have repeatedly noted that review mechanism for smaller sites, and single-phase developments are unnecessary so this must also be a consideration.

The Council should also consider where review mechanisms and threshold approach have been introduced, such as London, and identify if such a policy approach has been successful, particularly when few market retirement schemes come forward in the City Council area currently . Since the London Plan was adopted housing delivery has struggled. The Council should note that the rate of affordable housing requested and the additional policy hurdles bought in within the threshold approach in London has hampered delivery. The introduction of the review mechanism especially where a housing typology has been found to be largely unviable at the plan making stage causes considerable uncertainty and prevents investment. This has impacted housing delivery to a great extent in London and as such the government have set up an independent review of the London Plan.

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 amend the final paragraph of this policy to confirm that a review of viability will take place for longer term phased development prior to the commencement of each phase. This requirement will not apply to proposals which practically complete within 3 years of a planning approval.

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

Yes

No

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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)

The PPG is clear that the terms of a viability review should be clearly set out within local plan policy. As drafted, the policy is unclear as to how and when a review will take place and on what basis.

Reviews are appropriate for longer term phased development which is unlikely to complete within a 3 year period post planning approval.

In order to increase certainty for developers and investors, the terms of any review should be clearly set out within policy and examined independently. Reviews should be carried out prior to implementation of phases to provide certainty for developers and investors.

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 drafting as above.

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>