

Exeter Plan

Hearing statement

Matter 9:
Site Allocations: Issues 2 & 3

April 2026

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1. Introduction

- 1.1. This hearing statement responds to the Exeter Plan Inspectors' questions relating to the second part of Matter 9.
- 1.2. The statement covers Matter 9 as follows:
 - Issue 2 - Strategic Mixed Use Brownfield Allocations – Policies SBA1, SBA2, SBA3, SBA4 and SB5.
 - Issue 3 – Topsham Infrastructure Delivery Framework – Policy TI1

2. Issue 2: Strategic Mixed Use Brownfield Allocations – Policies SBA1, SBA2, SBA3, SBA4 and SB5

Generic questions

Q1. Would the development of the Strategic Mixed Use Brownfield Allocations result in the loss of employment land? If not, how would this be ensured? Are the policies effective in this regard?

- 2.1. Whilst there will be some loss of employment land, specifically at East Gate, the EDNA makes allowances for such losses through the methodology (which factors in the replacement of sites that are lost to other uses as well as general churn in the property market – EXB-EJ-03a: page 34, paragraph 5.1.3, Phase 2). Furthermore, allocations policies in the Exeter Plan state that the amount of employment floorspace at Water Lane (SBA1) and Red Cow (SBA3) will be retained and that employment will form part of the mixed use redevelopment at East Gate (SBA2) and South Gate (SBA5). It is also worth noting that Exe Bridges (SBA4) and South Gate (SBA5) do not currently contain any traditional employment uses. Policy EJ3 also requires the delivery of new forms of employment provision within all the strategic mixed use brownfield sites.
- 2.2. Looking at Water Lane more specifically, support is provided to employment opportunities through the Liveable Water Lane SPD which includes code W07: Employment. This encourages work hubs, collaborative workspace, live work units, other small scale employment units and spaces for maritime employment uses (EVB-s-03, W07, page 61).
- 2.3. Given the above, it is considered that the policies will be effective in ensuring the retention and provision of employment.

Q2. What is the latest position regarding planning approvals and construction timeframes for each of the sites?

- 2.4. The latest position is provided in appendix B to this hearing statement.

Q3. Is it clear to decision-makers, developers and local communities what will be provided and where across each of the sites?

- 2.5. Yes, the Council considers that the SBA policies provide sufficient clarity about what will be provided and where on the sites:
- Each policy begins with a summary of key requirements, including the expected (approximate) number of homes and other land-use, net zero and design requirements.
 - This is followed by clear criteria setting out land-use requirements by topic. To assist decision-makers, developers and local communities, the 'Homes' criteria cross-refer to other relevant policies in the Plan. However, the Plan should be read as a whole: the Council does not consider it necessary to cross-refer to all relevant policies in the Plan.

- Where the location of a requirement is already (approximately) known through work undertaken to date by the Council or stakeholders, this is stipulated in the policy. For example:
 - Policy SBA1 (D) is clear that existing community and sports facilities at Bromham's Farm are to be protected and enhanced.
 - Policy SBA2 (Di) is clear about the approximate location of active travel road crossings.
 - Policy SBA3 (Dii) is clear that active travel links need to be provided from St David's Station to existing routes along the River Exe.
- In other cases, the location of a required land-use or piece of infrastructure is not yet known and therefore cannot be stipulated in the policy. In these cases (for example, the Water Lane primary school and canal/river crossing; the East Gate public realm), the location will be determined through further work to be undertaken collaboratively by the Council and other stakeholders, or at development management stage.

Q4. How have the Exeter Skyline and Exeter Density studies been considered in formulating Policies SBA1 to SBA5?

- 2.6 The net minimum residential densities recommended by the Exeter Density Study (EVB-H-08: pages 19 and 22) and the key views identified in the Exeter Skyline Study (EVB-HH-02) have informed the approximate housing capacities of sites assessed in the Housing and Economic Land Availability Assessment (HELAA) (EVB-H-02a-d). The approximate HELAA capacities are the same as those of the SBA sites.

Q5. Is it realistic to expect self-build and custom-build homes to come forward at the densities proposed on each of the sites?

- 2.7 Yes: please see the Council's response to Matter 7, Issue 3, Question 3, paragraph 4.7, which addresses this issue.

Q6. Are Policies SBA1 to SBA5 sufficiently flexible for them to be effective?

- 2.8 Yes, the policies strike an appropriate balance between detail and flexibility to ensure they will be effective in supporting delivery of the allocations. Flexibility is provided through the use of terms such as "informed by" (see generic criterion Ai). The Plan should also be read as a whole: for example, policy IF2 sets out the approach developers can take if the SBA policy requirements unduly affect development viability.

Additional/minor modifications to chapter 16 of the Exeter Plan that are not covered elsewhere in this Statement

- 2.9 The Schedule of Suggested Modifications identifies a number of additional/minor modifications to the introductory section of chapter 16 of the Plan (CSD-03: SAMM103-107, pages 107-108). The Council wishes to draw the Inspectors' attention to these suggested modifications, because they are not covered by questions in this (or other) Hearing Statements.
- 2.10 Whilst it is not considered that additional/minor modifications SAMM103-107 are required for soundness, they address concerns made by other parties and

provide greater clarity. However, depending on discussions at the examination hearing, it may be that the Inspectors consider some of these modifications to be main modifications.

Potential modifications to chapter 16 and other chapters of the Exeter Plan, arising from the Matter 8 Hearing session

- 2.11 During the Hearing Session for Matter 8, the Inspectors asked the Council to consider the potential to replace the Plan's proposed housing allocation at 'Land at Old Rydon Lane' (policy H2) and proposed employment allocation at 'Land adjacent Sandy Park, Newcourt' (policy EJ6) with a composite allocation for housing and employment
- 2.12 The Council is currently working to identify the modifications needed to effect this potential change to the Plan. In summary, these are likely to comprise modifications to:
- Policy H2 and its supporting text (CSD-02: pages 34-36)
 - Policy EJ6 and its supporting text (CSD-02: pages 63-64).
 - Chapter 16, including the introductory paragraphs, the map of allocations and a new policy and supporting text for the composite allocation (CSD-02: pages 134-153).
 - The Policies Map (CSD-04a).

SBA1: Water Lane**Q1. Is all the site in the same ownership? Is it deliverable in the form allocated in the Plan?**

2.13 The site is in five ownerships. Discussions are consolidated through the establishment of a Collaboration Forum.

- The City Council is the largest landowner. Its ownerships include but are not limited to 61 and 62 Haven Road (see EVB-H-06: page 5), the Canal Office and Sea Cadets (see EVB-H-06: page 6), Haven Banks Car Parks 1, 2 and 3 which provide a potential location for boat storage and the new primary school (see EVB-S-05: pages 7 to 15), a light industrial business park that is to be retained, and Grace Road Fields which has planning consent for a new energy centre. The Council is motivated to deliver, both as landowner and as the local planning authority.
- Isca House (see EVB-H-06: page 3) is owned by Wales and West Utilities and National Grid. The landowners have been in dialogue with Homes England for approximately 18 months. Homes England wants to acquire the site to help unlock delivery, not only of the site but of Water Lane as a whole (see EXM-02ai). The parties have reached an advanced stage and the acquisition is anticipated to be completed in Q2 2026/27.
- Water Lane (South) (see EVB-H-06: page 1) is owned by Cildara Holdings, who have assembled a number of land parcels to facilitate redevelopment and have appointed the Water Lane Development Management Company to bring forward planning application 23/1007/OUT. The application benefits from a committee resolution to approve consent. The Section 106 Agreement is progressing and a draft document is in circulation. The agreement is anticipated to be completed soon, with all parties working diligently to agree the finer details. Cildara has recently invested significantly to de-risk the site and make it available for development. This work includes demolition on site and enabling works. The company has also undertaken a comprehensive due diligence programme. Further work is in train to complete an infrastructure cost plan and viability model.
- Vulcan Estate (see EVB-H-06: page 4) is owned by Cadleigh Estates Ltd. The land is operational as a light industrial business park and some units have been refurbished over the past 18 months. However, the Council is in dialogue with the owners about a strategy to deliver a mix of uses on the site including employment and homes towards the end of the plan period. This is reflected in the Housing Trajectory (EVB-H-03: page 61). Cadleigh Estates have expressed an interest in the Collaboration Forum.
- Haven Banks Retail Park (see EVB-H-06: page 2) is owned by Wellbeck. As set out in appendix B to this statement and as discussed in earlier Hearing sessions, the Council does not expect this part of Water Lane to be redeveloped during the Plan period.

2.14 Water Lane is deliverable in the form allocated in the Plan. This is evidenced by the fact that landowners and the City Council are actively working collaboratively to bring development forwards, as set out above.

- 2.15 The City Council and Cildara have agreed a Memorandum of Understanding (MoU), as a mechanism for key stakeholders, including those with land interests at Water Lane, to collaborate and work together to deliver development aligned to a shared vision. This structure is referred to as the Collaboration Forum (CF), with the terms of reference agreed by the City Council and Cildara, as the primary parties. The terms of reference are attached at Appendix A.
- 2.16 The Collaboration Forum is set up to be a fully open and transparent arrangement between the primary parties and sets out their overarching commitment to jointly work together to prepare a costed masterplan and associated infrastructure delivery plan. The CF also enables key stakeholders, including Homes England, Devon County Council, statutory bodies and affected landowners to work together to provide a delivery framework for longer term delivery in terms of: securing planning permissions (which are capable of implementation); land assembly (which may include private land controlled by third parties), and the funding and delivery of infrastructure. The objective is to have a framework which facilitates a comprehensive and financially viable development. Outputs may be used to support applications for publicly available infrastructure loans and grants and enable additional market / developer / investor and occupier engagement, as appropriate.
- 2.17 Deliverability is also evidenced by:
- A recent letter to the Council from Homes England (EXM-02ai), which underlines Homes England's commitment to supporting delivery at Water Lane, including through their potential acquisition and subsequent development of Isca House (referred to in the letter as the former Gas Works site). In a separate letter to Exeter's MP (not submitted to this Examination, because the letter was not written to the Council), Homes England has advised that all parties are working well to structure a suitable acquisition deal and facilitate delivery.
 - The Local Plan Viability Assessment (LPVA), which specifically tests a series of development typologies at various scales up to 150 dwellings and dwelling types (e.g. houses, flats, PBSA, co-living and other specialist house types), including the variety likely to come forwards at Water Lane (EVB-IF-01a: page 40, paragraphs 5.3 and 5.5). It concludes that likely development typologies for site allocations in 'Exeter central' (i.e. including Water Lane) are viable (page 41).
 - The Local Plan Viability Assessment – Addendum (LPVA-A) (EVB-IF-01b), which takes a more detailed look at Water Lane and concludes that “the requirements of the policy (SBA1) either in its own right or collectively with other policies in the plan would not undermine the delivery” (paragraph 4.6).
 - The Water Lane Delivery and Viability Position Statement (EXM-02aa), which brings together the most up-to-date evidence on delivery and viability for Water Lane, including additional viability testing. The document concludes that the Plan's policy requirements are viable and that there is a realistic prospect of the allocation coming forward within and beyond the plan period (page 15).

- The HELAA (EVB-H-02a: pages 73, 454, 461, 522, 675 and 681), which concludes that the site as a whole and its individual land parcels (those that are expected to deliver development over the plan period) are suitable, available and achievable for development. The achievability assessments were undertaken by the HELAA Panel, which includes individuals experienced in brownfield development.
- Supplementary Site Availability Evidence (EVB-H-02o: pages 4 and 14-23), which demonstrates that individual land parcels (those expected to deliver development over the Plan period) are available for development.
- The Liveable Water Lane Supplementary Planning Document (EVB-S-03: (pages 55, 56, 58, 91 to 93 and 99), which provides a development framework and design code to help guide development of the site, including detailed guidance on the delivery of key items of infrastructure including a new primary school, a neighbourhood centre, active travel, public transport and highways infrastructure and emergency flood access and egress.
- Significant site-specific work prepared or commissioned by the Council, working with partners including Devon County Council, the Environment Agency and landowners. This includes the Liveable Water Lane SPD Transport and Mobility Technical Note (EVB-S-04), the Water Lane Primary School Options Appraisal (EVB-S-05), the Haven Road Position Statement (EVB-S-06), the Water Lane Views Analysis (EVB-S-07), the Level 1 and 2 Strategic Flood Risk Assessment (EVB CC-13a-c) and the Water Lane emergency access and egress route plan (EVB-CC-14a).
- The Housing Market Insights Report (EVB-H-12: page 22), which concludes that there is positive market interest in brownfield development in Exeter, notwithstanding potential costs and complexities. As such, the report helps demonstrate the deliverability of brownfield sites such as Water Lane.
- Delivery rate assumptions for Water Lane in the Exeter Plan Housing Trajectory (EVB-H-03: pages 37 and 60-61) and the Exeter Plan Delivery Schedule (EVB-H-06: pages 1-7) which are robustly based on intelligence provided by planning officers and build rate assumptions in the 2021 HELAA Methodology (EVB-H-02e: page 20), sense-checked against delivery rates achieved at seven large brownfield developments elsewhere in the country (EVB-H-05: page 24, table 6.2 (see also the Council's response to Matter 4, Issue 1, Question 2, paragraph 2.13).
- Establishment by the Council of the Water Lane Collaboration Forum, which will drive development delivery over the Plan period in line with the Liveable Water Lane SPD. The Forum involves the Council, the site's other landowners, DCC, Homes England, statutory bodies, wider stakeholders and residents' groups. Its primary functions are to agree timescales/actions/resources for planning applications, arrange for infrastructure land equalisation and cost recovery, seek funding for and support the delivery of shared infrastructure, and agree and implement a site assembly strategy.

Q2. Is it appropriate to defer details relating to the amount and distribution of development to a Supplementary Planning Document ('SPD')?

2.18 No: it is not appropriate to defer details relating to the amount and distribution of development to an SPD. However, policy SBA1 does not do that. Instead, it provides sufficient detail to ensure delivery of a successful new neighbourhood at Water Lane by:

- Setting out the amount of housing, employment and other key land-uses and infrastructure items that are required.
- In terms of distribution, specifying the locations of land-uses/infrastructure items where these are currently known. The locations of other land-uses will be determined through further work to be undertaken collaboratively by the Council and other stakeholders, as part of the Collaboration Forum, or at development management stage. Evidence that this is already happening is provided by Homes England's pre-application proposals for Isca House, which include land to help provide a primary school, a neighbourhood centre and a variety of housing (market, affordable, custom-build apartments and townhouses and homes for older people).

2.19 For clarity, the Liveable Water Lane SPD (EVB-S-03) was adopted by the Council in July 2024. It provides a development framework and design codes to guide development, but it does not specify the amount or distribution of development.

Q3. Is Policy SBA1 effective and justified by including a requirement for developments to accord with an SPD?

2.20 To ensure that policy SBA1 is sound, the Council would like to suggest the following main modification to the first paragraph of policy SBA1:

"...The development must support the achievement of net zero and ~~accord~~ with have regard to the Liveable Exeter Principles and the Liveable Water Lane Supplementary Planning Document..."

Q4. How does the proposed capacity of around 1,861 homes relate to the Liveable Water Lane SPD? Is this figure broadly consistent with it?

2.21 The Liveable Water Lane SPD does not specify a housing capacity for the allocation; the purpose of the SPD is to provide guidance to help ensure that development proposals are well designed to achieve the vision for the site.

2.22 Instead, through the preparation of the HELAA (EVB-H-02a), the housing density coding plan in the SPD (EVB-S-03: page 68) has informed Water Lane's proposed capacity. The capacity is broadly consistent with the SPD's coding plan.

2.23 As discussed during earlier Hearing sessions, the Council has suggested the following main modification to policy SBA1 to clarify the site's approximate capacity, following the removal of Haven Banks Retail Park from the trajectory and a correction to Water Lane South's capacity. This would replace suggested main modification SMM92 (CSD-03: page 40):

“A site of 36.2 hectares at Water Lane is identified for a mixed use development delivering approximately ~~1,861~~ 1,970 homes (1,229 homes during the Plan period) and...”

Q5. Is the policy sufficiently clear in terms of what types and quantities of housing will be provided? Is Policy SBA1 effective in this regard?

2.24 Policy is SBA1 is sufficiently clear about the total (approximate) quantity of housing to be provided at Water Lane. Therefore, the policy is considered to be effective in this regard (subject to the suggested main modification in paragraph 2.19 above).

2.25 Subject to suggested modifications SMM50 and SAMM108 (CSD-03: pages 20 and 108), the Council considers that policy SBA1 is sufficiently clear about the types of housing to be provided, and the quantities of those types, and is therefore effective in this regard:

- Criteria A of the policy is clear that the housing size mix at Water Lane will be informed by the latest Exeter Local Housing Needs Assessment.
- Criterion Ai-iii are clear that affordable housing, plots for custom and self-build homes and accessible homes will be sought at Water Lane in accordance with other policies in the Plan (policies H4, H5, H6, H7, H14 and, in terms of viability considerations, IF2. As the quantities of provision will depend upon site-specific considerations, including in relation to viability, it would not be effective to specify quantities in policy SBA1.
- Criterion Aiv clearly sets out the quantity of extra care housing to be provided.
- Additional minor modification SAMM108 is suggested to the supporting text to acknowledge that Water Lane is suitable for a range of housing types. The Council does not consider that the policy will be made (more) effective by adding a long list of suitable housing types to the policy text itself.
- Suggested main modification SMM50 will help to ensure that Water Lane delivers a range of housing types, by preventing the over-concentration of particular housing types within the site (e.g. co-living or purpose-built student accommodation (PBSA)).

Q6. According to Policy SBA1 the proposed housing would be at a density of about 51 dwellings per hectare. What would this mean for the height and built form of any new residential development brought forward on the site?

2.26 Based on the Council's suggested modification to Water Lane's capacity (see paragraph 2.14 above), housing density across the total site area will be c.54 dph as opposed to c.51dph.

2.27 However, allowing for the delivery of other land-uses and the retention of existing uses on some parts of the site, the Council expects that net housing density at Water Lane will be significantly higher than 54dph, guided by the Liveable Water Lane SPD housing density coding plan (EVB-S-03: page 68).

- 2.28 To achieve the densities in the SPD, residential buildings will generally be between up to four and six storeys in height, with occasional taller buildings where appropriate. This is indicated by code L03 of the SPD (EVB-S-03: page 70), which indicates maximum heights for different areas of Water Lane. This will equate to residential development in the form of apartments and townhouses. Codes L02 and L04 to L14 of the SPD (EVB-S-03: pages 69 and 71 to 81) give additional guidance on street ratios and built form, to help ensure high quality residential development that makes optimal use of land whilst considering the site's constraints.

Q7. What effect will the allocation have on the character of the area, having particular regard to the setting of heritage assets?

- 2.29 At present, the built environment at Water Lane is generally of poor quality. The allocation will deliver significant improvements to the character of the area and policy SBA1 includes requirements to appropriately safeguard heritage assets.
- 2.30 To ensure that the allocation achieves these improvements and appropriately safeguards heritage assets, the Council has:
- Thoroughly considered the allocation's impact on the setting of heritage assets in the HELAA (EVB-H-02a: page 77) and Heritage Impact Assessment (HIA) (EVB-HH-01: page 44).
 - Ensured criteria Ji-iii of policy SBA1 reflects the impacts and mitigations identified in the HIA and suggested main modification SMM90 to improve the effectiveness of criterion Ji (CSD-03: page 39). This modification is supported by the Historic England Statement of Common Ground (DTC-03h: page 75) and is needed for soundness, to ensure the policy is justified by the evidence and consistent with national guidance.
 - In setting Water Lane's housing capacity, considered the Water Lane Views Analysis (EVB-S-07). This indicates that the maximum heights coded for in the Liveable Water Lane SPD (EVB-S-03: page 70) can be accommodated without harm to views of heritage assets.
 - Included, in the introductory paragraph to policy SBA1, a requirement for the highest standards of design at Water Lane.
 - Included a range of additional criteria to deliver improvements to the area's character (e.g. Ci, E and F).
- 2.31 In addition, planning applications will be considered against policies in the Plan's History and Heritage, High Quality Places and Design and Natural Environment chapters and design codes in the Liveable Water Lane SPD (EVB-S-03). Design codes M01 (page 32) M03 (page 33) and M05 (page 34) specifically relate to heritage considerations.

Q8. What effect will the allocation have on the safe and efficient operation of the highway network?

- 2.32 The allocation will maintain the safe and effective operation of the highway network. The site is sustainably located close to the city centre, the Quay and Marsh Barton – a significant employment area in the city. This will limit the need to travel by car. In terms of sustainable travel, there is existing provision to provide comprehensive alternatives to the car; the site is located on National Cycle Network Route 34, it is adjacent to the new Marsh Barton station and close to St Thomas station and it is served by existing bus routes. Provisions in criteria Ei-x of policy SBA1 will ensure that development at Water Lane is low-car and therefore prevent an exacerbation of congestion on the local highway network.
- 2.33 The policy requirements have been identified with significant input from Devon County Council (Highways and Active Travel Teams) and other stakeholders (e.g. Stagecoach) and have been informed by evidence including the Liveable Water Lane SPD Transport and Mobility Technical Note (EVB-S-04) and Haven Road Position Statement (EVB-S-06).
- 2.34 National Highways are seeking no changes to the allocation, as set out in DTC-03j (page 47). In its Matter 9 Hearing Statement, Devon County Council as the local highway authority advises that the allocation is likely to reduce vehicle movements (PS9-A01: page 4, paragraph 3.3.3). This in turn could help to improve highway safety and efficiency.

Q9. What effect will the allocation have on flood risk?

- 2.35 The SFRA Level 2 (EVB-CC-13b: page 30, paragraph 6.2.1; and EVB-CC-13c, page 15) indicates that the allocation will not increase flood risk onsite or elsewhere.
- 2.36 Flood risk assessments (FRA) that accompany planning applications will need to demonstrate the measures that development will take to address flood risk, in order to pass the exception test. EVB-CC-13b identifies a range of flood risk measures and these will need to be reflected in the FRAs. The measures are included as requirements in policy SBA1(l) and additional guidance to address flood risk is provided in the Liveable Water Lane SPD (EVB-S-03: page 51, code Q15; page 52, code Q17; page 58, code W04; page 84, code L24, page 85, code L25; page 86, code L27; pages 99-100, code A13; page 102, code A15; page 116, code A24; page 129, code S06).
- 2.37 Evidence that development at Water Lane can pass the exception test is provided in the FRA for the outline planning application at Water Lane South (23/1007/OUT), which has been signed off by the Environment Agency¹.

¹ <https://exeter.gov.uk/planning-services/permissions-and-applications/related-documents/?appref=23/1007/OUT#>, page 23.

Q10. Is it sufficiently clear what is expected of applications for planning permission in respect of additional infrastructure requirements?

2.38 Yes, it is sufficiently clear what is expected of planning applications in respect of additional infrastructure requirements:

- Policy SBA1 clearly lists the items of infrastructure required at Water Lane, with locations specified where possible (see also paragraph 2.9 above).
- The Infrastructure Delivery Plan (EVB-IF-02ab) indicates how items of infrastructure listed in policy SBA1 will be delivered/funded. The Council does not consider it necessary or appropriate to provide this level of detail in policy SBA1 itself. For example, it will depend upon the land parcel proposed for development as to whether a planning application is expected to contribute to infrastructure delivery by means of a financial contribution or direct provision.

2.39 In conclusion, policy SBA1, the Liveable Water Lane SPD and the IDP (EVB-IF-02a) provide sufficient certainty to developers, both in regard to the expectations placed on development and the means by which those expectations will be met.

Q11. Are the requirements set out in Policy SBA1 justified, consistent with national planning policy and based on robust, up to date evidence? Have these requirements been adequately tested to ensure that they are viable and deliverable?

2.40 The requirements of policy SBA1 are consistent with national policy because they will enable delivery of sustainable development in accordance with the NPPF and other statements of national policy. In particular, the policy is

- Consistent with paragraph 20 of the NPPF, by setting an overall strategy for the scale, design quality and (where known at this stage) distribution/pattern of development at Water Lane.
- Consistent with paragraph 123 of the NPPF, in seeking to help meet Exeter's objectively assessed need by making as much use as possible of previously developed land.

2.41 The requirements are justified by proportionate, robust and up-to-date evidence including:

- The Sustainability Appraisal (EXM-02a: page 247 onwards).
- The IDP (EVB-IF-02a) and associated ongoing discussions with key infrastructure providers, particularly Devon County Council.
- The HELAA (EVB-H-02a: in particular pages 73-82).
- The Liveable Water Lane SPD Transport and Mobility Technical Note (EVB-S-04).
- The Water Lane Primary School Options Appraisal (EVB-S-05).
- The Haven Road Position Statement (EVB-S-06).
- The Water Lane Views Analysis (EVB-S-07).
- The Level 2 SFRA (EVB-CC-13b and c).
- The Water Lane Emergency Access and Egress Route Plan (EVB-14a).

- The 2024 Local Housing Needs Assessment (EVB-H-01a).
- The Devon County Council (DCC) Extra Care Housing report (EVB-H-15).
- The Exeter Transport Strategy (EVB-STC-04) and Devon and Torbay Local Transport Plan 4 (EVB-STC-01: pages 23 and 28-29).
- The Exeter Local Cycling and Walking Infrastructure Plan (EVB-STC-03).
- The Joint Habitats Sites Mitigation Strategy (EVB-NE-04).
- Green Infrastructure Strategy (EVB-NE-09e).
- The Heritage Impact Assessment (EVB-HH-01: page 44 onwards).
- The Connected Culture – Cultural Placemaking Study (EVB-C-03: page 49 onwards).

2.42 The requirements have been adequately tested to ensure that they are viable and deliverable: please see paragraph 2.13 above.

2.43 As such, the policy requirements for Water Lane are justified, based on robust evidence, consistent with national policy, deliverable and viable.

Q12. What is the justification for the suggested modifications to Policy SBA1 and its supporting text? Why are they necessary for soundness?

- 2.44 Suggested main modification SMM89 (CSD-03: page 39) is necessary to meet tests of soundness b), c) and d) – justified, effective and consistent with national policy. The modification is justified by the need to secure local highways infrastructure requirements at Water Lane (or contributions towards them), which will ensure that the site is deliverable over the plan period and provides sustainable development.
- 2.45 Suggested main modification SMM90 (CSD-03: page 39) is necessary to meet tests of soundness b), c) and d) – justified, effective and consistent with national planning policy. The modification is justified by the importance of conserving and enhancing important views, as evidenced by the Exeter Skyline Study (EVB-HH-02).
- 2.46 Suggested main modification SMM91 (CSD-03: page 40) is necessary to meet test of soundness b) – justified. The modification is justified by the need for consistency with policy CC3 of the Plan.
- 2.47 The suggested re-draft of main modification SMM92 (CSD-03: page 40) is addressed in paragraph 2.19 of this Hearing Statement.
- 2.48 Suggested main modification SMM93 (CSD-03: page 40) is necessary to meet tests of soundness b), c) and d) – justified, effective and consistent with national planning policy. The modification is justified by the need to ensure that the Water Lane Primary School is consistent with national guidelines and to secure education contributions from development, so that the site provides sustainable development.
- 2.49 Additional/minor modifications SAMM108, SAMM109 and SAMM111 (CSD-03: pages 108 and 110) are suggested to the supporting text. Whilst it is not considered that these modifications are required for soundness, they address concerns made by other parties and provide greater clarity.

- 2.50 CSD-03 includes additional/minor modification SAMM110 (CSD-03: page 109). To reflect the withdrawal of planning application 22/1145/FUL at Haven Banks Retail Park, the Council would like to suggest the following alternative modification to SAMM110. This will ensure that the Plan reflects the latest status of planning applications and how they are accounted for in policies H2 and SBA1:

'The site is currently in multiple ownerships, including areas owned by the City Council. ~~341~~ 1,109 of the total homes identified at Water Lane already benefit from a resolution to approve planning consent, subject to the completion of a Section 106 Agreement (under planning applications references ~~22/1145/FUL~~ and 23/1007/OUT). These homes are ~~not~~ included in the housing capacity specified in policies SBA1 and H2. ~~An outline planning application for mixed use redevelopment of another part of the site is pending consideration.~~'

- 2.51 Depending on the nature of the discussion at the examination hearing, it may be that some of the above additional, minor modifications are considered to be main modifications.

SBA2: East Gate

Q.1 According to Policy SBA2 the proposed housing would be at a density of about 101 dwellings per hectare. What would this mean for the height and built form of any new residential development brought forward on the site?

- 2.52 Based on the Council's suggested modifications to increase East Gate's capacity to 691 homes (CSD-03: SMM11, page 7; and SMM94, page 41) housing density across the total site area will be c.113dph as opposed to 101dph.
- 2.53 However, allowing for the delivery of other land-uses and the retention of existing uses on some parts of the site, the Council expects that net housing density of individual land parcels at East Gate will be higher than 113dph. The expectation is that residential development will exceed the net minimum densities recommended in the Exeter Density Study (EVB-H-08): 150dph for new homes or 300dph for purpose-built student accommodation.
- 2.54 An assessment of the potential built form and building heights of East Gate has been undertaken in the context of key views in the city as agreed with Historic England in the Exeter Skyline Study (EVB-HH-02). The Strategic allocations: Views, heights and capacity – applied methodology report (EVB-HH-03: section 1.2, pages 7-11) outlines that the capacity of East Gate can be met through an indicative layout and built form which could include a variety of building heights across the allocation. These range from 2 to 10 storeys, with large areas including between 4 and 6 storeys (Figure 6, page 9). Although this layout is only illustrative and is not proposed, it does demonstrate a potential range in building heights which could be accommodated without harm to the key views.
- 2.55 It is of note that a planning committee decision in February 2026 resolved to grant planning consent to application 25/1082/FUL on the Clarendon House site within the allocation. This includes a building of 10 storeys which is considered appropriate on the site.

Q2. What sort of retail is envisaged at this site and how consistent is this with other policies in the plan and the Framework? Is the proposed scale of retail development appropriate and justified?

- 2.56 Continued convenience and comparison retail is envisaged at East Gate.
- 2.57 East Gate is within the city centre boundary and currently includes a significant range of convenience and comparison retail. This is focused on the frontages of Sidwell Street and Paris Street within a mix of unit sizes. Given the city centre location, it is appropriate to retain the range of retail uses currently located at East Gate. This is consistent with paragraph 90 of the NPPF, particularly parts a, b and d which support the retail role of town centres.
- 2.58 The Retail Study Update (EXM-02v: page 30, paragraph 3.36) shows that convenience retail provision should be focused on current town centres (which include the city centre) and areas of high residential growth (which include the

strategic brownfield allocations). The Retail Study Update also states that the need for comparison retail has dropped to a level whereby existing floorspace is able to meet demand (EXM-02v, paragraph 3.39, page 30). Given that comparison retail is currently provided at East Gate, it is appropriate to continue providing this in future. This approach is drawn together in Table 4.1 of the Retail Study update (page 32).

- 2.59 The provision of convenience and comparison retail at East Gate is consistent with policy RFC1, which explains the primacy of the town centres, including the city centre, in providing for retail within a wider mix of uses. It is also consistent with policy RFC2. As amended by suggested main modification SMM56 (CSD-03: page 23), this identifies that comparison retail will be acceptable at East Gate.
- 2.60 In summary, the continued provision of convenience and comparison retail at East Gate is appropriate because it is consistent with national policy, it would retain existing provision and is justified by evidence in the Retail Study Update.

Q3. What effect will the allocation have on the character of the area, having particular regard to heritage assets?

- 2.61 The allocation will enable the continuation of significant improvements to East Gate's character - a process which began through the allocation of the wider Grecian Quarter in the Exeter Core Strategy (SUP-DPD:01) – and policy SBA2 includes requirements to appropriately safeguard heritage assets.
- 2.62 To ensure that the allocation achieves these continued improvements and appropriately safeguards heritage assets, the Council has:
- Thoroughly considered the allocation's impact on the setting of heritage assets in the HELAA (EVB-H-02a: page 582) and Heritage Impact Assessment (HIA) (EVB-HH-01: page 137).
 - Ensured criteria Hi-ii of policy SBA2 reflects the impacts and mitigations identified in the HIA and suggested main modification SMM90 to improve the effectiveness of criterion Hi (CSD-03: page 39). This modification is supported by the Historic England Statement of Common Ground (DTC-03h: page 76) and is needed for soundness, to ensure the policy is justified by the evidence and consistent with national guidance.
 - In setting East Gate's approximate housing capacity, considered key views that are identified in the Exeter Skyline Study (EVB-HH-02) and explored further in the Exeter Plan Strategy Allocations: Views, Heights and Capacity - Applied Methodology (EVB-HH-03: pages 7-11). The latter

indicates that the East Gate's approximate capacity can be accommodated without harm to views of heritage assets.

- Included, in the introductory paragraph to policy SBA2, a requirement for the highest standards of design at East Gate.
- Included a range of additional criteria to deliver improvements to the area's character (e.g. Ci, D and E).

2.63 In addition, planning applications will be considered against policies in the Plan's History and Heritage, High Quality Places and Design and Natural Environment chapters.

Q4. What effect will the allocation have on archaeology?

2.64 The HIA (EVB-HH-01: page 139-140) evidences that the potential effects of the allocation on archaeology can be appropriately mitigated.

2.65 Criterion Hi of policy SBA2 reflects the HIA's recommendation that development is informed by archaeological assessment, evaluation and mitigation. Planning applications will also be considered against Plan policy HH3: Archaeology, which the Council proposes to strengthen through suggested modification SMM73 (CSD-03: page 30).

2.66 It should be noted that to the knowledge of Council Officers, archaeology found within the Area of Archaeological Importance has not in the past prevented development. It is a designation that allows archaeology to be appropriately assessed and preserved/recorded before development takes place.

Q5. Is it clear to decision-makers, developers and local communities what will be provided and where across the site? Is the policy sufficiently clear in terms of what types and quantities of housing will be provided? Is Policy SBA2 effective in these regards?

2.67 The Council considers that SBA2 provides sufficient clarity about what will be provided and where at East Gate, as explained by the answer to question 3 of the introductory generic questions:

- The policy begins with a summary of key requirements, including the expected (approximate) number of homes and other land-use, net zero and design requirements. Main modification SMM94 has also been suggested to include reference to the need for retail and hotel provision on the site (CSD-03: page 42).
- This is followed by clear criteria setting out land-use requirements by topic.
- Where the location of a requirement is already (approximately) known through work undertaken to date by the Council or stakeholders, this is stipulated in the policy. For example, criterion Di is clear about the approximate location of active travel road crossings.

- Where the location of a required land-use or piece of infrastructure is not yet known and therefore cannot be stipulated in the policy, this will be determined through further work to be undertaken collaboratively by the Council and other stakeholders, or at development management stage.
- 2.68 The Council has suggested main modifications SMM11 and SMM94 (CSD-03: pages 7 and 41) to amend the site's capacity to 691. This is to ensure the capacity reflects total homes proposed by planning application 25/1082/FUL for Clarendon House. Subject to that modification, the Council considers policy SBA2 is clear about the total quantity of housing to be provided at East Gate and is therefore effective in this regard.
- 2.69 Subject to suggested modifications SMM50 and SAMM113 (CSD-03: pages 20 and 110), the Council considers that policy SBA2 is sufficiently clear about the types of housing to be provided, and the quantities of those types, and is therefore effective in this regard:
- Criteria A of the policy is clear that the housing size mix at East Gate will be informed by the latest Exeter Local Housing Needs Assessment.
 - Criterion Ai-iii are clear that affordable housing, plots for custom and self-build homes and accessible homes will be sought at East Gate in accordance with other policies in the Plan (policies H4, H5, H6, H7, H14 and, in terms of viability considerations, IF2. As the quantities of provision will depend upon site-specific considerations, including in relation to viability, it would not be effective to specify quantities in policy SBA2.
 - Additional minor modification SAMM113 is suggested to the supporting text to acknowledge that East Gate is suitable for a range of housing types. The Council does not consider that the policy will be made (more) effective by adding a long list of suitable housing types to the policy text itself.
 - Suggested main modification SMM50 will help to ensure that East Gate delivers a range of housing types, by preventing the over-concentration of particular housing types within the site (e.g. co-living or purpose-built student accommodation (PBSA)).
- Q6. Is it sufficiently clear what is expected of applications for planning permission in respect of additional infrastructure requirements such as police infrastructure?**
- 2.70 Yes, it is sufficiently clear what is expected of planning applications in respect of additional infrastructure requirements:
- Policy SBA2 clearly lists the items of infrastructure required at East Gate, with locations specified where possible.
 - The Infrastructure Delivery Plan (EVB-IF-02ab) indicates how items of infrastructure listed in policy SBA2 will be delivered/funded. The Council does not consider it necessary or appropriate to provide this level of detail in policy SBA2 itself. For example, it will depend upon the land parcel proposed for development as to whether a planning application is

expected to contribute to infrastructure delivery by means of a financial contribution or direct provision.

- 2.71 In terms of policing, currently there is a police base at the Civic Centre; Devon and Cornwall Police have a lease for this space until 2028 following the closure of the nearby Heavitree Road police station in 2020. Devo and Cornwall Police have an aspiration for a new police base in the city centre following the end of this temporary lease; this would be the case irrespective of the allocation or redevelopment of East Gate. This demonstrates that the allocation of East Gate does not itself generate the need for new policing facilities.
- 2.72 Devon and Cornwall Police have drafted a brief which shows an area of search for city centre policing facilities including a large area of the city centre between Fore Street to the south and part way up Sidwell Street to the north and between Western Way to the east and partway along Queen Street to the northwest. Given this large area of search, there would be a variety of potential options across the city centre for accommodation which Devon and Cornwall Police could investigate on a commercial basis.
- 2.73 Police infrastructure is therefore not considered to be a specific requirement at East Gate. Furthermore, sufficient evidence has not been provided to demonstrate the impact of development on policing to justify Section 106 contributions for police infrastructure.
- 2.74 However, the Council understands the aspiration of Devon and Cornwall Police and is working collaboratively with them to find suitable accommodation in the city centre. Therefore, it would be appropriate to refer to the potential for such provision to come forward at East Gate on a flexible basis, through a commercial arrangement without a requirement for Section 106 contributions. A further modification could be made to address this matter.
- 2.75 In conclusion, together, policy SBA2 and the IDP (EVB-IF-02a) provide sufficient certainty to developers, both in regard to the expectations placed on development and the means by which those expectations will be met.

Q7. Is it sufficiently clear what the delivery of 'an impressive and memorable city centre gateway' entails? Is the policy effective?

- 2.76 Yes: the Council considers that the terminology clearly communicates what policy SBA2 is seeking to deliver whilst avoiding being unduly prescriptive or stifling design innovation. The requirement reflects the location of East Gate on the edge of the city centre; the site is vital in providing a sense of arrival to the city centre on a radial route.
- 2.77 Policy SBA2 provides clear hooks to help deliver an impressive and memorable city centre gateway – e.g. the requirement for development to achieve the highest standard of design, and criterion E and H. As such, the policy is considered to be effective in this regard.
- 2.78 The Plan should also be read as a whole: development will need to be consistent with the Liveable Exeter Principles in Policy S2. This policy explains what is required of 'memorable places', referring to considerations such as character, identity, topography, natural and built features and access within

Principle 1. Providing development in accordance with this and the other Liveable Exeter Principles (outstanding quality, welcoming neighbourhoods, liveable buildings, active streets, spaces for people and wildlife and connected culture) will deliver an impressive and memorable city centre gateway.

Q8. Are the requirements set out in Policy SBA2 justified, consistent with national planning policy and based on robust, up to date evidence? Have these requirements been adequately tested to ensure that they are viable and deliverable?

2.79 The requirements of policy SBA2 are consistent with national policy because they will enable delivery of sustainable development in accordance with the NPPF and other statements of national policy. In particular, the policy is

- Consistent with paragraph 20 of the NPPF, by setting an overall strategy for the scale, design quality and (where known at this stage) distribution/pattern of development at East Gate.
- Consistent with paragraph 123 of the NPPF, in seeking to help meet Exeter's objectively assessed need by making as much use as possible of previously developed land.

2.80 The requirements are justified by proportionate, robust and up-to-date evidence including:

- The Sustainability Appraisal (EXM-02a: page 249 onwards).
- The HELAA (EVB-h-02a: page 580 onwards).
- The IDP (EVB-IF-02a) and associated, ongoing discussions with key infrastructure providers, particularly Devon County Council.
- The Exeter Transport Strategy (EVB-STC-04) and Devon and Torbay Local Transport Plan 4 (EVB-STC-01: page 23).
- The Exeter Plan strategic allocations: Views, heights and capacity – applied methodology (EVB-HH-03: pages 9 – 11) which demonstrates the importance of key heritage assets on site while also showing development is deliverable in this sensitive context.
- The Retail Study Update (EXM-02v: Table 4.1, page 32).
- Green Infrastructure Strategy (EVB-NE-09e).

2.81 The requirements have been adequately tested for their deliverability and viability:

- The Local Plan Viability Assessment (LPVA) (EVB-IF-01a) concludes that likely development typologies for site allocations in 'Exeter central' (including East Gate) are viable (page 41).
- The Local Plan Viability Assessment – Addendum (LPVA-A) (EVB-IF-01b) concludes that "mixed use development on the allocation is viable in terms of both the site specific policy requirements and in combination with other policies of the Local Plan and can reasonably be expected to come forward as part of the new Local Plan" (paragraph 5.11, page 22).
- The HELAA (EVB-H-02a: pages 233, 393, 399, 580, 627 and 699) concludes that the site as a whole and its individual land parcels (those that are expected to deliver development over the plan period) are

suitable, available and achievable for development. The achievability assessments were undertaken by the HELAA Panel, which includes individuals experienced in brownfield development.

- Supplementary Site Availability Evidence (EVB-H-02o: pages 5 and 25-34) demonstrates that the individual land parcels at East Gate are available for development.
- The Housing Market Insights Report (EVB-H-12: page 22) concludes that there is positive market interest in brownfield development in Exeter, notwithstanding potential costs and complexities. As such, the report helps demonstrate the deliverability of brownfield sites such as East Gate.
- Deliverability evidence is also provided in the Exeter Plan Housing Trajectory (EVB-H-03: pages 61-62), the Exeter Plan Delivery Schedule (EVB-H-06: pages 7-11), the East Gate Delivery Study (EVB-H-07) and appendix B to this Statement.

2.82 As such, the policy requirements for East Gate are justified, based on robust evidence, consistent with national policy, deliverable and viable.

2.83 The deliverability of East Gate is underlined by the significant amount of development that has taken place in the wider Grecian Quarter area in recent years. This includes the development of St Sidwell's Point leisure centre, a new bus and coach station and housing developments listed in table 3.1 of the Water Lane Viability Position Statement (EXM-02aa: page 13).

Q9. What is the justification for the suggested modifications to the Policy SBA2 and its supporting text? Why are they necessary for soundness?

2.84 Suggested main modifications SMM89-91 (CSD-03: pages 39-40) are discussed earlier in this Hearing Statement and so are not repeated here.

2.85 Suggested main modification SMM94 (CSD-03: page 41) is necessary to meet test of soundness b) – justified. The modification is justified by the student accommodation planning application and Retail Study Update (EXM-02v).

2.86 Additional/minor modifications SAMM112 and SAMM113 (CSD-03: page 110) are suggested to the supporting text. Whilst it is not considered that these modifications are required for soundness, they address concerns made by other parties and provide greater clarity.

2.87 The following further modifications are suggested by the City Council to reflect the potential for police infrastructure on site. These are documented in a Statement of Common Ground with Devon and Cornwall Police, though are not all formally agreed (EXM-02ag):

SBA2: East Gate Policy text:

'The following will be required...

*C. Social, community and cultural infrastructure including:
v. Contributions to GP provision*

vi. Accommodation appropriate for a city centre police base (including office and public enquiry space) as may be required for continuity of provision, and/or retail/commercial space;

Supporting text to policy SBA2:

'16.16 East Gate is located on the edge of the city centre, stretching from Sidwell Street, to Cheeke Street, Paris Street and the end of Heavitree Road. It currently contains a variety of uses including office, business and retail, policing provision, residential, public car parking, the former bus station and former Pyramids Leisure Centre'.

SBA3: Red Cow

Q1. According to Policy SBA3 the proposed housing would be at a density of about 116 dwellings per hectare. What would this mean for the height and built form of any new residential development brought forward on the site?

2.88 Based on the Council's suggested modification to Red Cow's capacity (see CSD-03: SMM12, reducing capacity from 442 to 393) housing density across the total site area will be c.103dph.

2.89 However, allowing for the delivery of other land-uses and the retention of existing uses on some parts of the site (in particular the brewery and highways infrastructure), the Council expects that housing density on many individual land parcels will be significantly higher than 103dph. The expectation is that residential development will exceed the net minimum densities recommended in the Exeter Density Study (EVB-H-08): 150dph for new homes or 300dph for purpose-built student accommodation.

2.90 An assessment of the potential built form and building heights at Red Cow has been undertaken in the context of key views in the city as agreed with Historic England in the Exeter Skyline Study (EVB-HH-02). The Strategic Allocations: Views, Heights and Capacity – Applied Methodology report (EVB-HH-03: section 1.7, pages 38-51) outlines that the capacity of Red Cow can be met through an indicative layout and built form which could include a variety of building heights across the allocation. These range from 3 to 10 storeys (figure 52, page 41). Although this layout is only illustrative and is not proposed, it does demonstrate a potential range in building heights which could be accommodated without harm to the key views.

Q2. What effect will the allocation have on the character of the area, having particular regard to the setting of heritage assets such as St David's station?

2.91 At present, the built environment at Red cow is generally of poor quality. The allocation will deliver significant improvements to the character of the area and policy SBA5 includes requirements to appropriately safeguard heritage assets such as St David's station.

2.92 To ensure that the allocation achieves these improvements and appropriately safeguards heritage assets, the Council has:

- Thoroughly considered the allocation's impact on the setting of heritage assets in the HELAA (EVB-H-02a: page 590) and Heritage Impact Assessment (HIA) (EVB-HH-01: page 62).
- Ensured criteria Hi-ii of policy SBA3 reflects the impacts and mitigations identified in the HIA and suggested main modifications SMM90 and SMM96 to improve the effectiveness of these criterion (CSD-03: pages 39 and 42). These modifications are supported by the Historic England Statement of Common Ground (DTC-03h: pages 79-80) and are needed

for soundness, to ensure the policy is justified by the evidence and consistent with national guidance.

- In setting Red Cow's approximate housing capacity, considered key views that are identified in the Exeter Skyline Study (EVB-HH-02) and explored further in the Exeter Plan Strategy Allocations: Views, Heights and Capacity - Applied Methodology (EVB-HH-03: pages 18-23). The latter indicates that Red Cow's approximate capacity can be accommodated without harm to views of heritage assets.
- Included, in the introductory paragraph to policy SBA3, a requirement for the highest standards of design at Red Cow.
- Included a range of additional criteria to deliver improvements to the area's character (e.g. Ci, D and E).

2.93 In addition, planning applications will be considered against policies in the Plan's History and Heritage, High Quality Places and Design and Natural Environment chapters.

Q3. Is it clear to decision-makers, developers and local communities what will be provided and where across the site? Is the policy sufficiently clear in terms of what types and quantities of housing will be provided? Is Policy SBA3 effective in these regards?

2.94 The Council considers that SBA3 provides sufficient clarity about what will be provided and where at Red Cow, as explained by the answer to question 3 of the introductory generic questions:

- The policy begins with a summary of key requirements, including the expected (approximate) number of homes and other land-use, net zero and design requirements.
- This is followed by clear criteria setting out land-use requirements by topic.
- Where the location of a requirement is already (approximately) known through work undertaken to date by the Council or stakeholders, this is stipulated in the policy. For example, criterion Dii is clear about the approximate location of active travel routes to St David's station.
- Where the location of a required land-use or piece of infrastructure is not yet known and therefore cannot be stipulated in the policy, this will be determined through further work to be undertaken collaboratively by the Council and other stakeholders, or at development management stage.

2.95 The Council has suggested main modifications SMM12 and SMM95 (CSD-03: pages 7 and 42) to amend the site's capacity to 393 (net). This will ensure the capacity reflects the HELAA's revised assessment of land available for development (EVB-H-02a: page 146) and is therefore needed for soundness, to ensure the policy is justified by evidence and consistent with national guidance. Subject to that modification, the Council considers policy SBA3 is clear about the total quantity of housing to be provided at Red Cow and is therefore effective in this regard.

2.96 Subject to suggested modifications SMM50 and SAMM114 (CSD-03: pages 20 and 111), the Council considers that policy SBA3 is sufficiently clear about the types of housing to be provided, and the quantities of those types, and is therefore effective in this regard:

- Criteria A of the policy is clear that the housing size mix at Red Cow will be informed by the latest Exeter Local Housing Needs Assessment.
- Criterion Ai-iii are clear that affordable housing, plots for custom and self-build homes and accessible homes will be sought at Red Cow in accordance with other policies in the Plan (policies H4, H5, H6, H7, H14 and, in terms of viability considerations, IF2. As the quantities of provision will depend upon site-specific considerations, including in relation to viability, it would not be effective to specify quantities in policy SBA3.
- Additional minor modification SAMM114 is suggested to the supporting text to acknowledge that Red Cow is suitable for a range of housing types. The Council does not consider that the policy will be made (more) effective by adding a long list of suitable housing types to the policy text itself.
- Suggested main modification SMM50 will help to ensure that Red Cow delivers a range of housing types, by preventing the over-concentration of particular housing types within the site (e.g. co-living or purpose-built student accommodation (PBSA)).

Q4. What effect will the allocation have on the living conditions of future residents particularly in terms of railway noise? How has this been considered?

2.97 The effect on the living conditions of future residents has been considered through the HELAA, with guidance sought from Environmental Health in regard to noise and other environmental impacts. The HELAA concludes that: "An acoustic design statement and noise assessment will be required, and some noise mitigation will probably be required but this is unlikely to prevent development."

2.98 The noise environment will impact on the design, form and layout of the development. However, the proximity of the railway to the site is not an unusual juxtaposition, particularly in Exeter, with its five railway stations and such requirements are a normal part of the development management process. There are often choices in how to address noise issues and what form the mitigation takes; but this is not an issue that would prevent development.

2.99 Development proposals will also be assessed against Exeter Plan policy HW2: Environmental quality, pollution and contaminated land, which requires proposals to have no unacceptable impacts on noise levels.

Q5. What effect will the allocation have on the amount of available employment land in Exeter?

- 2.100 There will be no loss of employment land or floorspace as a result of the development. One small part of the site is occupied by a brewery, but the assumption is that this use will be retained (the site capacity assessment has discounted this part of the site from having redevelopment potential for housing).

Q6. How have proposals for the site (either through the approval of planning permission or allocation in the Local Plan) considered impacts on existing level crossings?

- 2.101 The impact on the existing level crossing of allocating Red Cow has been considered through the HELAA (EVB-H-02a: page 591), which concludes that “Any changes around the level crossing will need further consultation with rail operators and the highway authority.”
- 2.102 Policy SBA3 sets out that the allocation will be a low-car development. This is similar to other existing developments in the city and will help mitigate the impact on the existing level crossing. The site is in a location with good links to public transport options such as the railway station, bus routes, along with access to the LCWIP routes in the city that would help promote non-motorised movement. The requirement for a Transport Assessment for the site will also ensure the intended low-car use of the site.
- 2.103 Policy SBA3 is also clear that development must meet St David’s station’s ‘operational needs’. To clarify what ‘operational needs’ means and in response to representations from Network Rail and further discussion, it is proposed to insert additional supporting text stating that this includes “use of the level crossing and the retention of current levels of car parking” (CSD-03: page 111, SAMM115).
- 2.104 When any part of Red Cow comes forward, planning applications will need to assess the detailed impact of the development on the level crossing and to ensure that appropriate mitigation is secured. It is considered that suitable mitigation can be secured to address any site-specific impacts on the existing level crossing.

Q7. Is it sufficiently clear what is expected of applications for planning permission in respect of additional infrastructure requirements such as railway crossings?

- 2.105 Yes, it is sufficiently clear what is expected of planning applications in respect of additional infrastructure requirements:
- Policy SBA3 clearly lists the items of infrastructure required at Red Cow, with locations specified where possible.
 - The Infrastructure Delivery Plan (EVB-IF-02ab) indicates how items of infrastructure listed in policy SBA3 will be delivered/funded. The Council does not consider it necessary or appropriate to provide this level of detail in policy SBA3 itself. For example, it will depend upon the land parcel

proposed for development as to whether a planning application is expected to contribute to infrastructure delivery by means of a financial contribution or direct provision.

- 2.106 Policy SBA3 is clear that development must meet “St Davids railway station’s operational needs”. As discussed above (in response to question 6), it is proposed to insert additional supporting text stating that this includes “use of the level crossing and the retention of current levels of car parking” (CSD-03: SAMM115).
- 2.107 Together, policy SBA3 and the IDP (EVB-IF-02a) provide certainty to developers, both in regard to the expectations placed on development and the means by which those expectations will be met.

Q8. Is it sufficiently clear what the delivery of ‘an impressive and memorable city centre gateway’ entails? Is the policy effective?

- 2.108 Yes: the Council considers that the terminology clearly communicates what policy SBA3 is seeking to deliver, whilst avoiding being unduly prescriptive or stifling design innovation. The requirement reflects the location of Red Cow at a key arrival point in the city centre and the site’s function as a strategic transport hub. The allocation presents a crucial opportunity to create an impressive and memorable experience for visitors arriving by train (EVB-HH-03, page 18).
- 2.109 Policy SBA3 provides clear hooks to help deliver an impressive and memorable city centre gateway – e.g. the requirement for development to achieve the highest standard of design, and criterion E and H. As such, the policy is considered to be effective in this regard.
- 2.110 The Plan should also be read as a whole: development will need to be consistent with the Liveable Exeter Principles in Policy S2. This policy explains what is required of ‘memorable places’, referring to considerations such as character, identity, topography, natural and built features and access within Principle 1. Providing development in accordance with this and the other Liveable Exeter Principles (outstanding quality, welcoming neighbourhoods, liveable buildings, active streets, spaces for people and wildlife and connected culture) will deliver an impressive and memorable city centre gateway.

Q9. Are the requirements set out in Policy SBA3 justified, consistent with national planning policy and based on robust, up to date evidence? Have these requirements been adequately tested to ensure that they are viable and deliverable?

- 2.111 The requirements of policy SBA3 are consistent with national policy because they will enable delivery of sustainable development in accordance with the NPPF and other statements of national policy. In particular, the policy is
- Consistent with paragraph 20 of the NPPF, by setting an overall strategy for the scale, design quality and (where known at this stage) distribution/pattern of development at Red Cow.

- Consistent with paragraph 123 of the NPPF, in seeking to help meet Exeter's objectively assessed need by making as much use as possible of previously developed land.

2.112 The requirements are justified by proportionate, robust and up-to-date evidence including the:

- Sustainability Appraisal (EXM-02a: page 252 onwards).
- Infrastructure Delivery Plan (EVB-IF-02ab) and associated ongoing discussions with key infrastructure providers, particularly Devon County Council.
- HELAA (EVB-H-02a: in particular pages 587-593).
- 2024 Local Housing Needs Assessment (EVB-H-01a).
- Exeter Transport Strategy (EVB-STC-04) and Devon and Torbay Local Transport Plan 4 (EVB-STC-01: pages 23 and 28-29).
- Exeter Local Cycling and Walking Infrastructure Plan (EVB-STC-03).
- Green Infrastructure Strategy (EVB-NE-09e).
- Joint Habitats Sites Mitigation Strategy (EVB-NE-04).
- Heritage Impact Assessment (EVB-HH-01: page 61-64).
- Red Cow emergency access and egress route plan (EVB-CC-14b)

2.113 The requirements have been adequately tested for their deliverability and viability:

- The Local Plan Viability Assessment (LPVA) (EVB-IF-01a) concludes that likely development typologies for site allocations in 'Exeter central' (including Red Cow) are viable (page 41).
- The Local Plan Viability Assessment – Addendum (LPVA-A) (EVB-IF-01b) concludes that “mixed use development on the allocation is viable and reasonably can be expected to come forward as part of the new Local Plan” (paragraph 6.9, page 26).
- The HELAA (EVB-H-02a: pages 107, 587 and 693) concludes that the site as a whole and its individual land parcels (those that are expected to deliver development over the plan period) are suitable, available and achievable for development. The achievability assessments were undertaken by the HELAA Panel, which includes individuals experienced in brownfield development.
- Supplementary Site Availability Evidence (EVB-H-02o: pages 35- 43) demonstrates that the individual land parcels at Red Cow are available for development.
- The Housing Market Insights Report (EVB-H-12: page 22) concludes that there is positive market interest in brownfield development in Exeter, notwithstanding potential costs and complexities. As such, the report helps demonstrate the deliverability of brownfield sites such as Red Cow.
- Deliverability evidence is also provided in the Exeter Plan Housing Trajectory (EVB-H-03: pages 62) and the Exeter Plan Delivery Schedule (EVB-H-06: pages 11-12).

- 2.114 As such, the policy requirements for Red Cow are justified, based on robust evidence, consistent with national policy, deliverable and viable.

Q10. What is the justification for the suggested modifications to the Policy SBA3 and its supporting text? Why are they necessary for soundness?

- 2.115 Suggested main modifications SMM89-91 (CSD-03: pages 39-40) are discussed earlier in this Hearing Statement and so are not repeated here.
- 2.116 Suggested main modification SMM95 (CSD-03: page 42) is discussed earlier in this Hearing Statement and so is not repeated here.
- 2.117 Suggested main modification SMM96 (CSD-03: page 42) is discussed earlier in this Hearing Statement and so is not repeated here.
- 2.118 Additional/minor modification SAMM114 (CSD-03: page 111) is discussed earlier in this Hearing Statement and so is not repeated here.
- 2.119 Additional/minor modification SAMM115 (CSD-03: page 11) is discussed in part earlier in this Hearing Statement. In addition, the modification proposes to refer to challenges relating to noise and vibration from adjacent uses.
- 2.120 Whilst it is not considered that these additional/minor modifications are required for soundness, they do address concerns made by other parties and provide greater clarity.

SAB4: Exe Bridge Retail Park

Q1. According to Policy SBA4 the proposed housing would be at a density of about 112 dwellings per hectare. What would this mean for the height and built form of any new residential development brought forward on the site?

2.121 Allowing for the delivery of retail and highways infrastructure on the site, the Council expects that housing density at Exe Bridges Retail Park will be significantly higher than 112dph. The expectation is that residential development will exceed the net minimum densities recommended in the Exeter Density Study (EVB-H-08): 150dph for new homes or 300dph for purpose-built student accommodation.

2.122 An assessment of the potential built form and building heights at Exe Bridges Retail Park has been undertaken in the context of key views in the city as agreed with Historic England in the Exeter Skyline Study (EVB-HH-02). The Strategic Allocations: Views, Heights and Capacity – Applied Methodology report (EVB-HH-03: section 1.5, pages 25-31) considers a wider area called West Gate and outlines that the capacity of Exe Bridges Retail Park can be met through an indicative layout and built form which could include a variety of building heights. These range from 3 to 8 storeys (figure 31, page 27). Although this layout is only illustrative and is not proposed, it does demonstrate a potential range in building heights which could be accommodated without harm to the key views.

Q2. What sort of retail is envisaged at this site and how consistent is this with other policies in the plan and the Framework? Is the proposed scale of retail development appropriate and justified? What is the justification for maintaining a continuous retail function on the site?

2.123 Continued larger scale convenience and comparison retail is envisaged at Exe Bridges Retail Park. This is consistent with policy RFC1, which sets out the importance of protecting and enhancing the city centre, district centres and local centres, and Policy RFC2 (including suggested modifications) which identifies that Exe Bridges is appropriate for continued retail provision. As an existing retail park, the site is within the St Thomas District Centre as per the Local Plan First Review (SUP-DPD-02: page 181, A2.3). The Exeter Plan (paragraph 8.14) and the policies map (CSD-04a) continue to include the site in the District Centre. This continued retail role is consistent with paragraphs 90a and d of the NPPF which states that planning policies should support the role that town centres (which includes District Centres) play at the heart of local communities and promote their long-term vitality and viability, and should allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed.

2.124 The Schedule of suggested modifications includes SMM56 which would enable larger scale and comparison retail at the Exe Bridges Retail allocation (CSD-03: pages 23 and 24). This would be a continuation of the current provision on the site (and would be consistent with suggested modification SMM97 to policy SBA4 itself). This is appropriate and justified by evidence in the Exeter Retail Study Update, which sets out an appropriate and continued

retail role for the site (EXM-02v: page 32, Table 4.1) in meeting the city's overall needs (EXM-02v: paragraph 3.39, page 30).

- 2.125 Further justification for continued retail provision on the site is provided by the representation from the current long-leaseholder (C-30). This states that they continue to look to maintain and improve the vitality and viability of the site in the context of medium to longer term residential-led mixed use development.

Q3. Is it sufficiently clear what is expected of applications for planning permission in respect of additional infrastructure requirements?

- 2.126 Yes, it is sufficiently clear what is expected of planning applications in respect of additional infrastructure requirements:

- Policy SBA4 clearly lists the items of infrastructure required at Exe Bridges Retail Park, with locations specified where possible.
- The Infrastructure Delivery Plan (IDP) (EVB-IF-02ab) indicates how items of infrastructure listed in policy SBA4 will be delivered/funded. The Council does not consider it necessary or appropriate to provide this level of detail in policy SBA4 itself.

- 2.127 Together, policy SBA4 and the IDP provide certainty to developers, both in regard to the expectations placed on development and the means by which those expectations will be met.

Q4. Are the requirements set out in Policy SBA4 justified, consistent with national planning policy and based on robust, up to date evidence? Have these requirements been adequately tested to ensure that they are viable and deliverable?

- 2.128 The requirements of policy SBA4 are consistent with national policy because they will enable delivery of sustainable development in accordance with the NPPF and other statements of national policy. In particular, the policy is

- Consistent with paragraph 20 of the NPPF, by setting an overall strategy for the scale, design quality and (where known at this stage) distribution/pattern of development at Exe Bridges Retail Park.
- Consistent with paragraph 123 of the NPPF, in seeking to help meet Exeter's objectively assessed need by making as much use as possible of previously developed land.

- 2.129 The requirements are justified by proportionate, robust and up-to-date evidence including the:

- Sustainability Appraisal (EXM-02a, page 254 onwards).
- Infrastructure Delivery Plan (EVB-IF-02ab) and associated ongoing discussions with key infrastructure providers, particularly Devon County Council.
- HELAA (EVB-H-02a, page 569 onwards).
- 2024 Local Housing Needs Assessment (EVB-H-01a).
- Exeter Transport Strategy (EVB-STC-04, page 17).
- Devon and Torbay Local Transport Plan 4 (EVB-STC-01, page 77).

- Exeter Local Cycling and Walking Infrastructure Plan (EVB-STC-03).
- Joint Habitats Sites Mitigation Strategy (EVB-NE-04).
- Green Infrastructure Strategy (EVB-NE-09e).
- Heritage Impact Assessment (EVB-HH-01, page 314 onwards).
- Exeter Retail Update (EXM-02v, page 32).
- Exe Bridges emergency access and egress route plan (EVB-CC-14c).

2.130 The requirements have been adequately tested for their deliverability and viability:

- The Local Plan Viability Assessment (LPVA) (EVB-IF-01a) concludes that likely development typologies for site allocations in 'Exeter central' (including Exe Bridges Retail Park) are viable (page 41).
- The Local Plan Viability Assessment – Addendum (LPVA-A) (EVB-IF-01b) concludes that “residential development on this site is viable” and that “it is assumed, given the current retail use of the site, that this will continue to be a viable location in the future” (paragraph 7.8, page 28).
- The HELAA (EVB-H-02a: page 569) concludes that the site is suitable, available and achievable for development. The achievability assessment was undertaken by the HELAA Panel, which includes individuals experienced in brownfield development.
- The Regulation 19 representation of the long-leaseholder at Exe Bridges Retail Park confirms the site’s availability for redevelopment during the plan period (C-30). The City Council as freeholder has also confirmed availability (EXM-02z).
- The Housing Market Insights Report (EVB-H-12: page 22) concludes that there is positive market interest in brownfield development in Exeter, notwithstanding potential costs and complexities. As such, the report helps demonstrate the deliverability of brownfield sites such as Exe Bridges Retail Park.
- Deliverability evidence is also provided in the Exeter Plan Housing Trajectory (EVB-H-03: page 62) and the Exeter Plan Delivery Schedule (EVB-H-06: page 12).

2.131 As such, the policy requirements for Exe Bridges Retail Park are justified, based on robust evidence, consistent with national policy, deliverable and viable.

Q5. What is the justification for the site not being developed until the second half of the Plan period, beyond 2030?

2.132 In their Regulation 19 representation (C-30) and through further discussions, the site’s long-leaseholder has advised that the longest of current leases at the Retail Park extends to August 2031. For this reason, the Exeter Plan Housing Trajectory phases housing completions to take place and conclude in the latter part of the Plan period (EVB-H-03: page 62).

2.133 As freeholder of the site, the City Council is content with this position.

- 2.134 Main modification SMM97 in the Schedule of suggested modifications proposes additional text in policy SBA4, to move delivery at Exe Bridges Retail Park to the latter stages of the plan period (CSD-03: page 42).

Q6. What is the justification for the suggested modifications to the Policy SBA4 and its supporting text? Why are they necessary for soundness?

- 2.135 Suggested main modifications SMM89-91 (CSD-03: pages 39-40) are discussed in paragraphs 2.40 to 2.42 of this Hearing Statement and so are not repeated here.
- 2.136 Suggested main modification SMM97 (CSD-03: page 42) has three elements derived from representations and discussions with the long leaseholder of the site (C-30):
- The first element sets out the “potential” to deliver approximately 201 homes. This is justified by the need for some minor additional flexibility to the delivery of the site.
 - The second element sets out the site coming forward in the latter stages of the plan period to reflect existing retail leases on site, some of which extend into 2031 (see response to question 5 above).
 - The third elements reflects the continued retail function of the site given its existing use and location in the St Thomas District Centre. This is consistent with the suggested modification to Policy RFC (CSD-03: SMM56, page 23) (see paragraph 2.125 above).
- 2.137 All elements of SMM97 are necessary for soundness to ensure that the policy is justified (reflecting appropriate evidence) and effective at delivering redevelopment at Exe Bridges Retail Park during the plan period.
- 2.138 Additional/minor modifications SAMM116 and SAMM117 (CSD-03: page 112) are suggested to the supporting text. Whilst it is not considered that these modifications are required for soundness, they address concerns made by other parties and provide greater clarity. However, depending on the nature of discussions at the examination hearing, it may be that these additional/minor modifications are considered to be main modifications.

SBA5: South Gate

Q1. According to Policy SBA5 the proposed housing would be at a density of about 54 dwellings per hectare. What would this mean for the height and built form of any new residential development brought forward on the site?

- 2.139 Allowing for the delivery of other land-uses and the retention of existing uses on some parts of the site (in particular highways infrastructure), the Council expects that housing density at South Gate will be slightly higher than 54dph.
- 2.140 The expectation that South Gate may not achieve the net minimum densities recommended in the Exeter Density Study (EVB-H-08) is driven by the need to ensure that the height and built form of development does not harm key views across the site, as agreed with Historic England through the Exeter Skyline Study (EVB-HH-02). The Strategic Allocations: Views, Heights and Capacity – Applied Methodology report (EVB-HH-03: section 1.7, pages 38-51) indicates that harm to key views will be avoided via a layout and built form that includes buildings of 3 to 6 storeys (figure 52, page 41), delivering approximately 81 homes. This reflects a net density of around 70dph.

Q2. What effect will the allocation have on the character of the area, having particular regard to heritage assets?

- 2.141 At present, the built environment at South Gate is of poor quality. The allocation will deliver significant improvements to the character of the area and policy SBA5 includes requirements to appropriately safeguard heritage assets.
- 2.142 To ensure that the allocation achieves these improvements and appropriately safeguards heritage assets, the Council has:
- Thoroughly considered the allocation's impact on the setting of heritage assets in the HELAA (EVB-H-02a: page 687) and Heritage Impact Assessment (HIA) (EVB-HH-01: page 121).
 - Ensured criteria Hi-iii of policy SBA5 reflect the impacts and mitigations identified in the HIA and suggested additional main modification SMM90 to improve the effectiveness of criterion Hi (CSD-03: page 40). This modification is supported by the Historic England Statement of Common Ground (DTC-03h: page 84) and is needed for soundness, to ensure the policy is justified by the evidence and consistent with national guidance.
 - In setting South Gate's approximate housing capacity, considered key views that are identified in the Exeter Skyline Study (EVB-HH-02) and explored further in the Exeter Plan Strategy Allocations: Views, Heights and Capacity - Applied Methodology (EVB-HH-03: pages 18-23) (see response to South Gate question 1 above). South Gate's capacity was reduced from 170 homes at Full Draft Plan stage (SUP-PRE-03a: pages 31 and 126) to 81 homes at Regulation 19 stage, specifically to reflect the

views evidence and thereby help ensure the safeguarding of heritage assets.

- Included, in the introductory paragraph to policy SBA5, a requirement for the highest standards of design at South Gate.
- Included a range of additional criteria to deliver improvements to the area's character (e.g. Ci, D and E).

2.143 In addition, planning applications will be considered against policies in the Plan's History and Heritage, High Quality Places and Design and Natural Environment chapters.

Q3. What effect will the allocation have on archaeology?

2.144 The HIA (EVB-HH-01: page 124) evidences that the potential effects of the allocation on archaeology can be appropriately mitigated.

2.145 Criteria Hi of policy SBA5 reflects the HIA's recommendation that development is informed by archaeological assessment, evaluation and mitigation. Planning applications will also be considered against Plan policy HH3: Archaeology, which the Council proposes to strengthen through suggested modification SMM73 (CSD-03: page 30).

2.146 It should be noted that to the knowledge of City Council Officers, archaeology found within the Area of Archaeological Importance has not in the past prevented development. It is a designation that allows archaeology to be appropriately assessed and preserved/recorded before development takes place.

Q4. Is it sufficiently clear what is expected of applications for planning permission in respect of additional infrastructure requirements such as education?

2.147 Yes, it is sufficiently clear what is expected of planning applications in respect of additional infrastructure requirements:

- Policy SBA5 clearly lists the items of infrastructure required at South Gate.
- The Infrastructure Delivery Plan (IDP) (EVB-IF-02ab) indicates how items of infrastructure listed in policy SBA5 will be delivered/funded. The Council does not consider it necessary or appropriate to provide this level of detail in policy SBA5 itself.

2.148 Together, policy SBA5 and the IDP provide certainty to developers, both in regard to the expectations placed on development and the means by which those expectations will be met.

2.149 In terms of education, criterion Cii of policy SBA5 identifies that contributions for a range of education provision will be sought. As the site itself is not large enough to accommodate new education provision as part of mixed use

development, it is clear that financial contributions will be sought through Section 106 Agreements.

Q5. Are the requirements set out in Policy SBA5 justified, consistent with national planning policy and based on robust, up to date evidence? Have these requirements been adequately tested to ensure that they are viable and deliverable?

2.150 The requirements of SBA5 are consistent with national policy because they will enable delivery of sustainable development in accordance with the NPPF and other statements of national policy. In particular, the policy is

- Consistent with paragraph 20 of the NPPF, by setting an overall strategy for the scale, design quality and (where possible) distribution/pattern of development at South Gate.
- Consistent with paragraph 123 of the NPPF, in seeking to help meet Exeter's objectively assessed need by making as much use as possible of previously developed land.

2.151 The requirements of policy SBA5 are justified by proportionate, robust and up-to-date evidence including:

- The Sustainability Appraisal (EXM-02a: page 256 onwards).
- The IDP (EVB-IF-02a) and associated ongoing discussions with key infrastructure providers, particularly Devon County Council.
- The HELAA (EVB-H-02a: in particular pages 687-692).
- The 2024 Local Housing Needs Assessment (EVB-H-01a).
- The Exeter Transport Strategy (EVB-STC-04) and Devon and Torbay Local Transport Plan 4 (EVB-STC-01: pages 23 and 28-29).
- The Exeter Local Cycling and Walking Infrastructure Plan (EVB-STC-03).
- The Joint Habitats Sites Mitigation Strategy (EVB-NE-04).
- Green Infrastructure Strategy (EVB-NE-09e).
- The Heritage Impact Assessment (EVB-HH-01: page 121 onwards).

2.152 The requirements have been adequately tested to ensure that they are viable and deliverable:

- The Local Plan Viability Assessment (LPVA) (EVB-IF-01a) concludes that likely development typologies for site allocations in 'Exeter central' (including South Gate) are viable (page 41).
- The Local Plan Viability Assessment – Addendum (LPVA-A) (EVB-IF-01b) concludes that mixed use development on the allocation is viable in terms of both the site specific policy requirements and in combination with other policies of the Local Plan and can reasonably be expected to come forward as part of the new Local Plan (paragraph 8.9, page 30).
- The HELAA (EVB-H-02a: pages 687-692) concludes that the site is suitable, available and achievable for development. The achievability assessment was undertaken by the HELAA Panel, which includes individuals experienced in brownfield development.

- Supplementary Site Availability Evidence (EVB-H-02o: pages 44-47) demonstrates that South Gate is available for development.
- The Housing Market Insights Report (EVB-H-12: page 22) concludes that there is positive market interest in brownfield development in Exeter, notwithstanding potential costs and complexities. As such, the report helps demonstrate the deliverability of brownfield sites such as South Gate
- Deliverability evidence is also provided in the Exeter Plan Housing Trajectory (EVB-H-03: page 63) and the Exeter Plan Delivery Schedule (EVB-H-06: pages 13-14).

2.153 As such, the policy requirements for South Gate are justified, based on robust evidence, consistent with national policy, deliverable and viable.

Q6. What is the justification for the suggested modifications to the Policy SBA5 and its supporting text? Why are they necessary for soundness?

2.154 Suggested main modifications SMM89-91 (CSD-03: pages 39-40) are discussed in paragraphs 2.40 to 2.42 of this Hearing Statement and so are not repeated here.

2.155 Additional/minor modification SAMM118 (CSD-03: page 112) is suggested to the supporting text to address concerns made by other parties and provide greater clarity. Depending on the nature of the discussion at the examination hearing, it may be that this suggested additional, minor modification is considered to be a main modification.

3 Issue 3: Topsham Infrastructure Delivery Framework – Policy TI1

Q1. How do the site boundaries and locations of the proposed site allocations in Topsham relate to possible development proposals in the emerging East Devon District Local Plan?

3.1 Policy H2 of the Plan allocates four sites for residential development on the edge of Topsham:

- Land at Newcourt Road: Reference 91
- Land to the west of Newcourt Road: Reference 94
- Land at Topsham Golf Academy: Reference 95
- Land to the east of Newcourt Road 2: Reference 153

3.2 East Devon District Council have progressed their local plan through two Regulation 19 consultations. It includes an urban extension in Policy WS10: Development next to the M5 and north of Topsham mixed use allocation (Second Regulation 19 version of the East Devon Local Plan, November 2025, page 75)². This site is allocated for around 596 homes, employment land, education purposes and other facilities. This site is immediately north of the Exeter City Council boundary, east of the M5.

3.3 The location of the Exeter and East Devon allocations are shown on the plan in Appendix C.

Q2. Is it sufficiently clear in Policy TI1 which of the proposed residential allocations in the Plan would complement the possible development proposals in the emerging East Devon District Local Plan and contribute to the Topsham Infrastructure Delivery Framework (TIDF) and how they would do this?

3.4 Yes. Together, paragraphs 16.33 and 16.34 of the supporting text to policy TI1 are clear that it is the four Exeter Plan allocations at Topsham that will contribute to the TIDF.

3.5 The policy is clear that the TIDF will identify the infrastructure that the Topsham and East Devon allocations will be expected to help deliver. Delivery will be secured at development management stage (e.g. through CIL and/or Section 106 Agreements). The wording of policy TI1 provides sufficient clarity in this regard.

3.6 The aim of policy TI1 is to draw together proposals on both sides of the Councils' administrative boundary. This is made clear by a suggested main modification to the end of the policy which sets out that major development proposals on the edge of Topsham will need to come forward in accordance with the Topsham Infrastructure Delivery Framework (TIDF) (CSD-03: SMM99, page 43). This will consider the allocations and other development that may occur in Exeter. The TIDF will address potential impacts from all these proposals and whilst outstanding development would need to contribute to its delivery.

² Available at: <https://eastdevon.gov.uk/media/dghmhbre/first-reg-19-vs-second-reg-19-comparison-v2.pdf>

- 3.7 Proposals will help to comprehensively address development and infrastructure issues identified in the policy through the development management process, which will secure appropriate and coordinated access arrangements, on site GI provision and contributions to transport and infrastructure. Particular consideration will be given to the following as will be directed through the future TIDF.
- Education, healthcare, community space and green infrastructure provision
 - Transport strategy
 - Landscape setting and impacts on the Clyst Valley Regional Park
- 3.8 In a complementary way, Policy WS10 in the second Regulation 19 East Devon Local Plan also includes the equivalent provision for proposals in East Devon to ensure appropriate cross-boundary coordination.
- 3.9 The Exeter allocations are for residential development and they are smaller and more distinct than the larger, mixed use East Devon allocation. On this basis, they are more likely to come forward independently. The TIDF will enable all development proposals to come forward in complementary manner, supported by appropriate infrastructure provision. It is anticipated that infrastructure is more likely to be provided on the larger, mixed-use East Devon allocation than the small, residential Exeter allocations.
- 3.10 Since the policy was prepared, two of the proposed allocations have progressed through the development management process. These are listed below.
- Land at Topsham Golf Academy: Application reference 24/0785/FUL: Resolution to grant.
 - Land to the east of Newcourt Road 2: Application reference 24/1425/FUL: Resolution to grant.
- 3.11 These proposals would be considered by the TIDF but would not directly contribute to its delivery because of the significant progress already made in securing planning consent.
- Q3. What effect would the possible development proposals in the emerging East Devon District Local Plan have on the proposed spatial strategy and the proposed levels of growth for Exeter? How have any potential implications been considered?**
- 3.12 The proposals north of Topsham in the East Devon Local Plan do not directly affect the spatial strategy nor the levels of growth in Exeter. The Exeter Plan will meet all of the city's housing requirement within the City Council's administrative boundary, and East Devon District Council are doing likewise for their administrative area as identified in the Statement of Common Ground which covers housing matters across the housing market area (DTC-03a, paragraph 2.7, page 6).
- 3.13 The potential for development on the edge of Exeter within East Devon is, ultimately, a matter for the East Devon District Council. However, potential cross-boundary implications have been discussed and these directly led to

the inclusion of Policy TI1 and a complementary policy in the East Devon Local Plan (WS10). These discussions are considered in the Statement of Common Ground with East Devon District Council (DTC-03c: page 24), including in relation to a suggested main modification to require major development proposals to come forward in accordance with the Topsham Infrastructure Delivery Framework (CSD-03: SMM99, page 43).

Q4. Is the need for the TIDF justified, consistent with national planning policy and based on robust, up to date evidence?

- 3.14 The need for the TIDF is justified, consistent with national planning policy and based on robust, up to date evidence.
- 3.15 The TIDF is justified because it is appropriate to provide a mechanism to help address and coordinate cross-boundary development and infrastructure matters where allocations come forward with functional linkages. This approach has been discussed with both East Devon District Council as the neighbouring local planning authority and Devon County Council as Local Transport Authority and Local Education Authority (DTC-03c and DTC-03b). The Sustainability Appraisal identifies a range of positive effects, and no negative effects, arising from the TIDF (EXM-02a: page 266).
- 3.16 The TIDF is consistent with NPPF paragraph 24 which sets out the need to cooperate on strategic matters that cross administrative boundaries, and paragraph 26 which identifies the importance of joint working where additional infrastructure is necessary. Criterion B of policy TI1 is consistent with NPPF paragraph 110b which explains the need to prepare planning policies with the involvement of the local highway authority so that transport and development strategies are aligned; the TIDF makes specific reference to the delivery of an appropriate transport strategy for an area. The TIDF is also consistent with NPPF paragraphs 20c because it sets out a strategic approach to providing for community facilities such as health and education and paragraph 20d where it considers landscape and green infrastructure.
- 3.17 The requirements of the TIDF are based on robust and up to date evidence which cover all three elements of the framework:
- Education: DCC education evidence base (EVB-IF-08).
 - Transport: Clyst Road and Newcourt Road Transportation Access Strategy (EVB-STC-18).
 - Infrastructure Delivery Plan (EVB-IF-02ab).
 - Green Infrastructure: Clyst Valley Regional Park Masterplan (EXM-02ac).

Q5. Are the requirements set out in Policy TI1 justified, consistent with national planning policy and based on robust, up to date evidence? Have these requirements been adequately tested to ensure that they are viable and deliverable?

- 3.18 The requirements of Policy TI1 are justified, consistent with national policy and based on robust and up to date evidence. These matters have already been explored in response to question 4 above.

- 3.19 In terms of viability, Policy TI1 does not introduce additional contributions beyond those which are secured routinely; the ultimate goal of the policy is to coordinate infrastructure provision across sites and the administrative boundary. The associated contributions have been included in the Local Plan Viability Assessment (LPVA) (EVB-IF-01a: Appendix B, page 57). The LPVA concludes that greenfield allocations (which include all four Topsham allocations) are viable as tested and able to deliver the general policy requirements (EVB-IF-01a: paragraph 6.5, page 48). The requirements of policy TI1 are therefore considered viable.
- 3.20 In terms of deliverability, the ultimate goal of the policy is to facilitate coordinated delivery of development and infrastructure. The inclusion of the policy has been agreed with East Devon District Council, who have included a complementary policy requiring a delivery framework in their Regulation 19 Local Plan (Policy WS10). The inclusion of the policy has also been discussed with the County Council as a key infrastructure provider (see response to question 4 above). Further infrastructure delivery partners are referenced in the policy as being important to the preparation of the TIDF and delivering the proposed infrastructure. The involvement of these various partners will help to ensure deliverability.
- 3.21 Evidence supporting the policy also demonstrates deliverability: the transport strategy for the area (criterion B in the policy) is already in place (EVB-STC-18: Clyst Road and Newcourt Road Transportation Access Strategy), whilst the approach to education and health are broadly set out in the education evidence base (EVB-IF-08) and Infrastructure Delivery Plan (EVB-IF-02ab).
- Q6. How would the TIDF guide development proposals in Topsham over the plan period? Is it clear to decision-makers, developers and local communities what will be provided and where across the area? Is the policy sufficiently clear in terms of what types and quantities of development, infrastructure and facilities will be provided? Is Policy TI1 effective in these regards?**
- 3.22 The TIDF will guide development proposals by providing a clear infrastructure delivery framework for development proposals in Topsham, on both sides of the administrative boundary. It will provide a clear structure for delivering infrastructure through the development management process.
- 3.23 Criteria A-B of policy TI1 are clear about the range of infrastructure to be included in the TIDF and criterion A is clear that delivery of infrastructure must be timely. Beyond the transport strategy that is already in place (EVB-STC-18), the TIDF itself will provide further clarity about the types and quantities of development, infrastructure and facilities to be provided.
- 3.24 Given the smaller, more individual and residential nature of the four allocations in Exeter, there is limited scope to provide significant community infrastructure within these sites. It is anticipated that if a primary school is required this will be provided in the East Devon allocation. Further detail will be resolved through the TIDF.

Q7. What is the justification for the suggested modifications to Policy TI1? Why are they necessary for soundness?

- 3.25 Suggested main modification SMM98 (CSD-03: page 43) to criterion A of policy TI1 provides additional details about the education infrastructure to be covered by the TIDF. This modification was requested by Devon County Council in their representation (A-01_Various: page 8). It is necessary for soundness because it is justified by discussions with Devon County Council and will ensure that the plan is effective at ensuring that development is accompanied by the necessary infrastructure as set out in the associated Statement of Common Ground (DTC-03b: page 44). It is consistent with national policy because it will ensure that sufficient provision is made for community facilities (NPPF, paragraph 20, c).
- 3.26 Suggested main modification SMM99 (CSD-03, page 43) provides additional text at the end of policy TI1 to clarify that major developments in a particular location of Topsham will need to be informed by the TIDF. This modification was requested by East Devon District Council in their representation (A-02-16-TI1: page 2). It is necessary for soundness because it is justified by discussions with East Devon District Council as set out in the associated Statement of Common Ground (DTC-03c: page 24) and will ensure that the plan is effective in its implementation.
- 3.27 The City Council would like to propose a further revision to modification SMM99 to reflect previous hearing discussions relating to Supplementary Planning Documents and other forms of guidance such as the TIDF. This modification is set out below. This would remove the need for such strict adherence to the TIDF which is not yet in place:
- 'Major development proposals on the edge of Topsham between the M5, Exeter Road and Clyst Road will be required to have regard to ~~come forward in accordance with the~~ Topsham Infrastructure Delivery Framework when this is in place'.*
- 3.28 Additional/minor modification SAMM119 (CSD-03: page 113) is suggested to the supporting text to address concerns raised by Devon County Council and provide greater clarity. Depending on the nature of the discussion at the examination hearing, it may be that this suggested additional, minor modification is considered to be a main modification.
- 3.29 One further additional minor modification may be considered helpful for inclusion at the end of paragraph 16.36. This is discussed under question 6 above and so is not repeated here.

4 Summary

- 4.1 This hearing statement has been prepared by Exeter City Council in response to questions asked in relation to the second part of matter 9 of the Exeter Plan Examination.
- 4.2 All questions associated with issues 2 and 3 have been answered.

APPENDIX A: Water Lane Collaboration Forum terms of reference

See the end of the document.

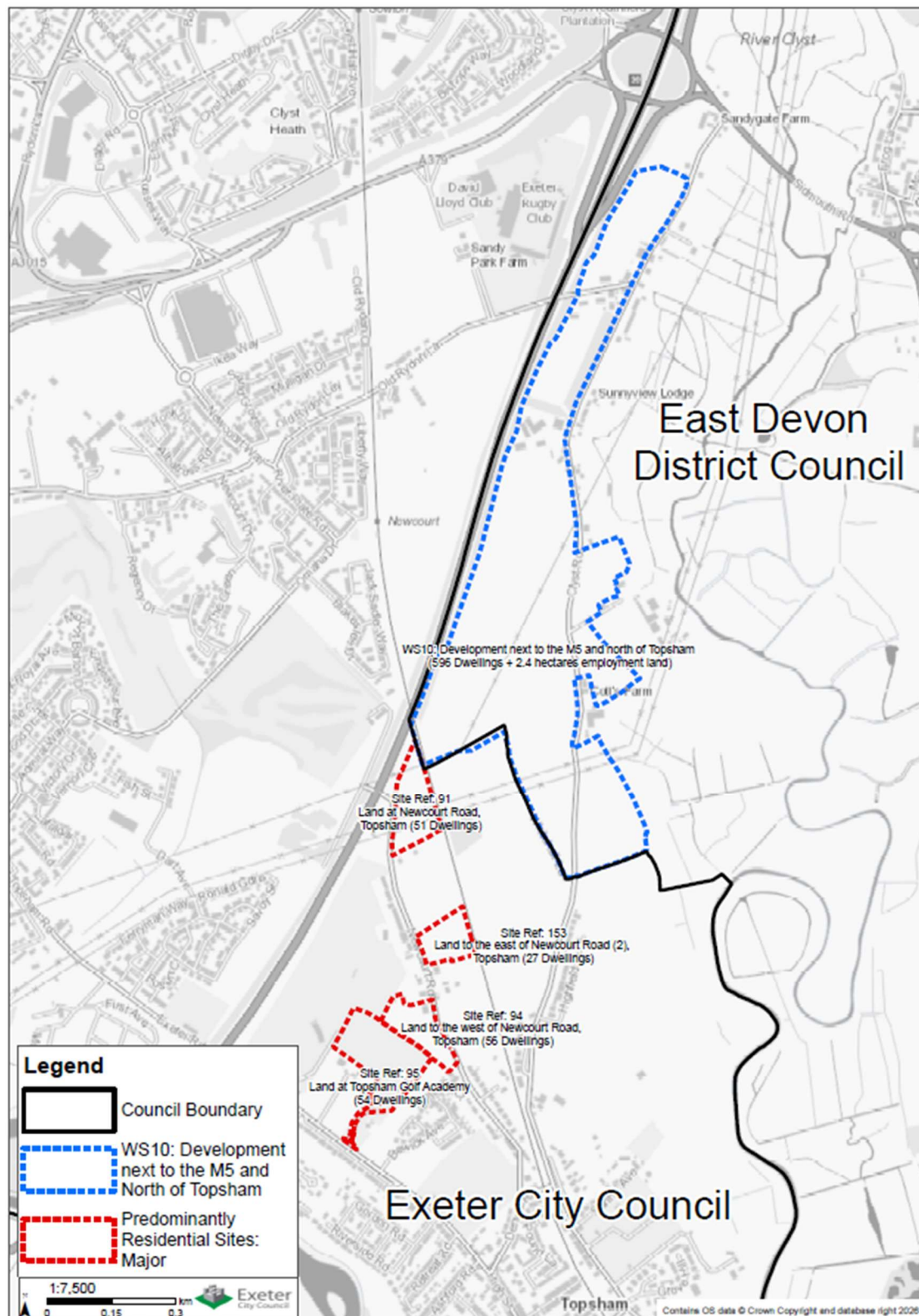
APPENDIX B: Latest position regarding planning approvals and construction timeframes for policy SBA1-5 sites

Site	Latest position
Strategic mixed use brownfield sites	
Water Lane • Water Lane South • Haven Banks Retail Park • Isca House • Vulcan Estate • 61 and 62 Haven Road • Canal Office and Sea Cadets	• The Council and applicants are continuing to progress Section 106 Agreements to allow planning permission 23/1007/OUT (for Water Lane South) to be issued. All buildings on the site have recently been demolished to make way for redevelopment. • Planning application 22/1145/FUL (for Haven Banks Retail Park) was withdrawn by the applicant in February 2026. Retail units on the site have been re-let: one on a lease of 15 years and the other on a lease of 25 years. On this basis, it is unlikely that the site will deliver homes during the Plan period. Therefore, as advised by the Council at the Hearing Sessions in March, the Council proposes to remove Haven Banks Retail Park from the Exeter Plan Housing Trajectory (EVB-H-03). This will also entail main modifications to the Plan (please see the Councils response to Policy SBA1 question 1 in this Hearing Statement). • Pre- pre-application discussions have taken place between the Council and a potential new landowner/developer, for mixed-use development at Isca House. • The planning status of Vulcan Estate, 61 and 62 Haven Road and Canal Office and Sea Cadets remain as per the Exeter Plan Delivery Schedule (EVB-H-06: pages 4 to 6). • Aside from Haven Banks Retail Park, the latest position regarding planning approvals indicates that construction timeframes in the Exeter Plan Delivery Schedule are still realistic (EVB-H-06: pages 1-7).
East Gate • City Point, Paris Street • Civic Centre, Paris Street • Manor Court • Pyramids, John Hannam House and Eaton House	• The planning status of City Point, the Civic Centre, Manor Court and the Pyramids (etc.) remain as per the Exeter Plan Delivery Schedule (EVB-H-06: pages 7-10). • Regarding Clarendon House, Planning Committee granted approval for application ref. 25/1082/FUL in February 2026, subject to the completion of a Section 106 Agreement. Work on the Agreement is progressing.

Clarendon House	- Regarding the Civic Centre (which is owned and occupied by the Council), a report to Full Council in February 2026 demonstrates work by the Council to release the site for redevelopment (SMB.12.04 Report - Use of City Council Assets to drive Regeneration - clean 1.pdf). - Regarding City Point (which is owned by the Council), a report is to be taken to the Council's Executive in June to consider potential delivery strategies for the site³. Demolition has taken place on part of the site to enable development, which will link to previous phases at St Sidwell's Point and the bus station. - The latest position regarding planning approvals indicates that the construction timeframes in the Exeter Plan Delivery Schedule are still realistic (EVB-H-06: pages 7-11).
Red Cow - Red Cow North - University of Exeter land, Brunel Court	- The planning status of the two Red Cow sites remains as per the Exeter Plan Delivery Schedule (EVB-H-06: pages 11-12). - The latest position regarding planning approvals indicates that the construction timeframes in the Exeter Plan Delivery Schedule are still realistic.
Exe Bridges Retail Park	- The planning status remains as per the Exeter Plan Delivery Schedule (EVB-H-06: page 12). - The latest position regarding planning approvals indicates that the construction timeframe in the Exeter Plan Delivery Schedule is still realistic.
South Gate	- The planning status remains as per the Exeter Plan Delivery Schedule (EVB-H-06: page 13). - The latest position regarding planning approvals indicates that the construction timeframe in the Exeter Plan Delivery Schedule is still realistic.

³ City Council Forward Plan available at: <https://committees.exeter.gov.uk/mglIssueHistoryHome.aspx?IId=59160&PlanId=341&RPID=96021292>

APPENDIX C: Location plan showing proposed Exeter allocations in Topsham and proposed East Devon allocation north of Topsham



COLLABORATION FORUM

Terms of Reference

Water Lane Regeneration Area, Exeter

20 February 2026 (updated 23.04.2026)

Terms of Reference

CONTENTS

Terms of Reference: Collaboration Forum2

Appendix 1 – Red Line Site Plan

Appendix 2 – Land Ownership Plan

Terms of Reference: Collaboration Forum

This Terms of Reference document has been prepared as a mechanism for key stakeholders with land interests at Water Lane to collaborate and work together to deliver development aligned to a shared vision. This document is to be referred to as the Collaboration Forum ("CF").

The Collaboration Forum is set up to be a fully open and transparent arrangement between the parties – trust and transparency are critical to its success in delivering the desired outcomes.

It is anticipated that the parties to the Collaboration Forum may change and evolve over time, as the project progresses (e.g. additional landowners may join later).

Important Note: This document will not fetter Exeter City Council (ECC) in exercising its statutory duties as Local Planning Authority (LPA). It will not prejudice the outcome of the planning (and related) application(s) or the impartiality of ECC. This document relates to the process of collaboration with other key parties when considering the wider vision for Water Lane and how any potential challenges will be approached and overcome to ensure a viable development.

Section 1: The Collaboration Forum ("the CF")

Collaboration Forum	A Memorandum of Understanding (MOU) between the 'Primary Parties' which sets out their overarching commitment to jointly work together to prepare a costed masterplan and associated infrastructure delivery plan in line with the Liveable Exeter Water Lane Supplementary Planning Document (SPD), adopted by Exeter City Council in July 2024. The Purpose of the Agreement is to provide a delivery framework between the parties for longer term delivery in terms of: securing planning permissions (which are capable of implementation); land assembly (which may include private land controlled by third parties), and the funding and delivery of infrastructure. The objective is to have a framework which facilitates a comprehensive and financially viable development - outputs may be used to support and apply for publicly available infrastructure loans and grants (where appropriate and justified) plus used to enable additional market / developer / investor and occupier engagement, as appropriate.
The Site	Land situated at Water Lane, Exeter, as shown in the plan attached at Appendix 1.

Terms of Reference

The Vision

“Water Lane will be a vibrant waterfront community in Exeter, well-connected to the rest of the city where people choose to walk and cycle, thanks to attractive and safe streets, and local facilities nearby. The River Exe and historic Ship Canal will be at the heart of people’s daily lives and a cherished destination for everyone in Exeter. Water Lane will be a compact urban neighbourhood where people live and work, next to the bustling Quay. The high-quality homes will be designed to be low carbon and matched by an abundance of nature within all streets and spaces. Water Lane will be an enterprising place with a mix of uses and buildings, including a new school and local centre. Its industrial past will be celebrated, and the working Canal basin and Heritage Harbour will support cultural and leisure uses.”

Liveable Exeter Water Lane SPD: <https://exeter.gov.uk/media/4nylmkn3/liveable-water-lane-spd-web.pdf>

The Parties

It is intended that the Agreement could include all landowners who share a similar Vision and set of objectives for the Site.

Primary Parties (The Landowners):

- 1. Exeter City Council
- 2. Cillarda

Key Stakeholder(s):

- Devon County Council
- Homes England
- Statutory Bodies;
- Wider affected landowners;
- Resident Groups

Primary parties to give due consideration to joint appointments of advisors where appropriate. The default position will be to appoint external advisors jointly with a duty of care to all parties signed up to the Collaboration Forum. All appointments to be reviewed in accordance with public sector procurement regulations.

Party		Professional Advisors
(1)	Exeter City Council (“the Council”) Ian Collinson – Strategic Director, Place	CBRE James Blundell, Senior Director T: 07551 092 752

Terms of Reference

	Ben Colman – Head of Commercial Assets	E: james.blundell@cbre.com Sophie Haslum, Associate Director T: 07570 041 074 E: sophie.haslum@cbre.com
(2)	Cilldara Kevin Moriarty – Partner, Osborne & Co Andy Wilkins – Lone Star Land Chris Barraclough – Hutton Estates	Gardiner & Theobald LLP Tim Hunt, Partner T: 07786 251 546 E: t.hunt@gardiner.com

Stakeholders

It is intended that the Agreement should reference wider stakeholders who will all play a role in delivering Water Lane comprehensively. The table below summarises these stakeholders, their role and the rationale for engagement.

Party	The Role?	What are their objectives and why we need to engage?
Wales & West Utilities	Current landowner and provider of power.	Objective is to continue delivering power, not to be involved in delivery of the masterplan vision.
D.M. Estates Ltd	Current landowner and management of commercial industrial estate (Vulcan Estate).	Existing business.
One Energy	One Energy – potential delivery of a District Heat Network (DHN)	Important for project in context of DHN.
Exeter College	Potentially delivering post-16 educational uses.	Currently engaging in respect of future education provision.
Devon County Council	Education and Highway Authority	Agree access and movement strategy, and detailed transport proposals; delivery of primary school.

Terms of Reference

Conrad	ECC tenant and subject to emerging relocation proposals from Cilldara.	Operates a Peaking Plant providing electricity to the grid.
Statutory consultees	Environment Agency, Natural England, HSE, Historic England.	Primary role is to agree detailed infrastructure plans
Homes England	Government Agency for housing and regeneration	Provided revenue funding, support and advice; engaging landowners.

Key Commercial Principles

The Key Commercial Principles of the Agreement are summarised:

Planning Application(s)

1. The CF will be used by the parties to agree timescales, actions and resources for handling planning applications which are aligned to deliver the agreed Vision, masterplan and infrastructure delivery strategy. This will be in the form of separate Planning Performance Agreements (PPAs) linked to individual applications.
2. This will ensure an aligned and efficient approach to site wide enabling infrastructure.

Land Equalisation & Cost Recovery

3. The share of costs associated with delivering development to be agreed
4. Share in the benefits and burdens resulting from delivery of the Masterplan Vision on an equalised basis (e.g. in terms of apportionment of value and non-value uses (e.g. schools, public realm, civic buildings etc.; abnormal costs associated with adverse ground conditions; essential site enabling works etc.).
5. Each Party will pay a contribution towards delivery costs; undertaking site surveys / technical due diligence; infrastructure delivery; and third-party land assembly. Terms for an Equalisation Agreement to be drafted and referenced.
6. The parties are to agree a phasing strategy including order of prioritisation for infrastructure delivery – i.e. what needs to come first to address long term regeneration goals, commercial delivery and financial viability.

Infrastructure Funding, Co-ordination, Enabling & Delivery

7. The Parties will seek external funding to facilitate the delivery of essential enabling infrastructure – key components to include third party land; site wide strategic infrastructure e.g. highways, services, utilities, flood access/egress, public realm etc. Potential funding avenues could include Homes England (HE), Department for Transport (DfT), Ministry of Housing Communities Local Government (MHCLG).
8. Parties to support and facilitate delivery of shared infrastructure, potentially through appointment of a 'master developer' and / or 'development partner'.

Terms of Reference

9. The Parties will work collaboratively to identify options for site delivery, informed by an Infrastructure Delivery and Phasing Plan (IDP).
10. The Primary Parties will work together to agree a funding package and outcomes.

Relocation Costs – Existing Operations

11. Each Party is required to meet their own relocation costs associated with development delivery.

Site Assembly Strategy – Third Party Land Interests

12. Parties to agree and implement a Site Assembly Strategy, with costs of acquiring / assembling land interests (including associated legal / professional fees) to be agreed on a site-by-site basis, (to include areas of non-value generating land, e.g. land required for highways access, flood egress etc).
13. A CPO may be required to complete site assembly. In this scenario the costs of CPO to be agreed

Joint Masterplan Vision & Infrastructure Delivery Plan

The Parties are committed to jointly working to progress delivery of the Joint Masterplan Vision and Infrastructure Delivery Plan. In summary the purpose of this workstream is to:

- Identify an Infrastructure Strategy which optimises site wide scheme efficiencies.
- Ensure uses are all allocated within the right locations with reference to the SPD as a guide.
- Provide a framework for a commercially led and deliverable masterplan which is viable and capable of implementation.
- Phasing and land draw down arrangements.

High quality placemaking, urban design, public realm and connectivity.

The Red Line area is defined in the plan attached at **Appendix 1**.

Land Ownership Plan

A Land Ownership Plan highlighting the extent of land ownership of each of the Parties to this agreement is attached at **Appendix 2**.

Other third party landowners are also included on the plan.

Key Challenges

It is acknowledged between the Parties that given the scale of infrastructure requirements and delivery constraints that public sector intervention in the form of funding towards essential / facilitating infrastructure is essential to enable development.

The number of parties involved in the Agreement may change which could influence the structure and detailed form of contract(s).

Terms of Reference

Openness & Transparency

The Parties agree to keep the proposed transaction and all details relating to the MOU (including planning representations, scheme proposals, third party landowner / stakeholder discussions, technical reports and site investigations) open and transparent.

Stage 1: Programme of Activity

Work for the next 12 months is focussed on the following workstreams, the workstreams referenced A-D are to reach formal agreements on the funding strategy and equalisation (E).

- A. Enter Formal Collaboration Agreement / Forum.
- B. Masterplan – Aligned Facilitating Infrastructure.
- C. Infrastructure Phasing and Delivery Plan.
- D. Financial Viability & Cashflow Analysis.
- E. Funding Strategy & Equalisation.