

Further Representations on The Exeter Plan

Inspectors' Matters, Issues and Questions For Examination of the Exeter (Exeter City Council (ECC)) Local Plan

On Behalf of Stuart Partners Ltd and Broom

12th of February 2026

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1. Introduction and Summary of Our Client's Position

Background

1.1. McMurdo LPD Ltd ("McMurdo") acts for:

1. Stuart Partners Ltd, which controls strategic land:

- making up a significant part of the proposed New Town, Marcombe, in East Devon which will deliver housing only in the second part of East Devon District Council (EDDC)'s plan period;
- making up a small part of the second phase of Cranbrook New Town, in East Devon, benefitting from a resolution to grant planning permission for up to 180 houses which cannot be drawn down because a lack of education infrastructure is holding up the delivery of all housing in the second phase of Cranbrook;
- making up a significant part of an advancing proposed extension of Circa 1,750 houses adjacent to Exeter, in the western part of East Devon, between Clyst St George and Clyst St Mary;
- comprising a 3rd phase of the Pinhoe Urban Extension to Exeter (in East Devon) for up to 165 houses for which an appeal against the refusal notice issued by EDDC will shortly be submitted;
- making up Hill Barton Industrial Estate in the western part of East Devon (part of which is in the Waste Plan) and its expansion areas (which are of sub regional importance).

2. Broom which:

- retains an interest in the advancing proposed extension of Circa 1,750 houses adjacent to Exeter, in the western part of East Devon, between Clyst St George and Clyst St Mary;
- owns and controls other land adjacent to Exeter in the western part of East Devon suitable for housing and employment uses.

Executive Summary of Our Client's Position on the Plan

- The Council has failed in its Duty to Cooperate.
- The Plan does not come close to acknowledging the strategic issues or their potential social and economic consequences if they are not addressed at the plan making stages.
- The “*known cross-boundary issues*” are stark and severe in their historic nature and scale, and the statement of common ground makes no attempt to deal with them, failing to comply with the specifics to Paragraph 36 of the “Framework” and Paragraph: 011 Reference ID: 61-011-20190315 of PPG which states: “*the level of cooperation detailed in the statement [of common ground] is expected to be... proportionate [my emphasis] ...to the matters being addressed.*”
- Though the Greater Exeter Strategic Plan (GESP) showed how greenfield land could be released in and around Exeter in 2017, the Council’s “Vision” and its “Living Exeter” initiative of 2019 dictated the evolution of the Plan, effectively forcing Officers to try to justify 75% of proposed strategic development on high functioning (consequently unviable and undeliverable) brownfield land.
- Neither housing nor affordable housing needs will be met. (And the Council is relying on Purpose Built Student Accommodation in its housing land supply figures contrary to High Court Judgements and appeal decisions).

- Employment land needs will not be met. (EDDC maintains its objection to the ECC Plan on employment land supply grounds, and it cannot meet its own employment land needs let alone the needs of ECC).
- The Council has not considered reasonable alternatives including better collaboration with adjacent Councils and the release of more green field land around the City and/or adjacent to it to meet identified needs. (Consequently, the SA has not assessed reasonable alternatives.)
- Better collaboration with adjacent Councils would and should lead to the release of green field land around the City and/or adjacent to it to meet identified housing (including affordable housing) and employment land needs.

2. Response to Inspector's Draft Matters, Issues and Questions for Examination

Matter 1 – Legal Compliance

Issue 1 – Duty to Cooperate

Response to Q1

- 2.1. The Council cannot point to evidence which *“demonstrates that it has engaged constructively actively and on an ongoing basis in relation to the known cross-boundary issues.”*

- 2.2. Paragraphs 15- 36 of the National Planning Policy Framework (“Framework” and “NPPF”) and Planning Policy Guidance (PPG) “Plan-making” give Councils a clear structure for plan making including on how they shall cooperate effectively on policy making that affects strategic matters, including on producing, maintaining, and updating statement(s) of common ground. (Paragraph 009 Reference ID:61-009-20190315)

- 2.3. Paragraph: 011 Reference ID: 61-011-20190315 states: *“the level of cooperation detailed in the statement [of common ground] is expected to be... **proportionate** [my emphasis]...to the matters being addressed.”*

- 2.4. In determining whether the level of cooperation is *“proportionate to the [strategic] matters being addressed,”* the starting point is the known strategic matters for the plan makers, which are:

1. Exeter is more than 2,000 houses short in the current Plan period (Please see **Appendix 1** ECC's Annual Monitoring Report) and cannot demonstrate a 5 year housing land supply (Please see **Appendix 2** for the Council's Five Year Housing Land Supply Statement of May 2025).
2. East Devon is more than 2,500 houses short in the current Plan period and cannot demonstrate a 5 year housing land supply. (Please see **Appendix 3** for Appeal 3355976 which shows that EDDC agreed that it has a 2.97 year supply of housing, a numerical shortfall of around 2,531 houses in the current Plan period, and rising)
3. Exeter's and East Devon's affordable housing needs are chronic. (Table 1 refers)

	Total number of households in housing need (and registered with Devon Home Choice
East Devon	2,985
Exeter	1,936

Reference: Devon Home Choice Quarterly Monitoring Report (January 2026) – **Appendix 4**

4. ECC relies on Purpose Built Student Accommodation (PBSA) to try to demonstrate an acceptable housing land supply despite the fact that PBSA cannot “release” housing into the Exeter market given the significant increase in students at the University. (Please see Paragraph 6.54 of the Local Plan and **Appendix 5** High Court Judgement; **Appendix 6** Appeal Decision 2215771; **Appendix 7** FoI Request Student Numbers Exeter University).

5. For employment land, currently demand is far outstripping supply, and needs are not being planned for in Exeter (which is failing to protect existing employment land in its decision taking), East Devon, or the subregion. (Please see **Appendix 8** Appeal 3295011; **Appendix 9** Alder King Employment Land Review; **Appendix 10** ECC Planning Decision 23/1223; **Appendix 11** EDDC's maintained objection to ECC's Plan on employment land supply grounds; **Appendix 12** Statement of Common Ground ECC and EDDC and **Appendix 13** Email exchange between McMurdo and ECC).

6. EDDC's emerging Local Plan is in peril (Please see **Appendix 14 and 15** McMurdo Representations to EDDC Emerging Plan) for the following reasons:
 - housing land supply
 - employment land supply
 - allocations in conflict with the Sustainability Appraisal (SA) (and Habitats Regulation Assessment (HRA)) and
 - undeliverable allocations
 - Duty to Cooperate.

7. Cranbrook phase 2 in East Devon is hamstrung by education triggers which cannot be met, stalling development. (Please see **Appendix 16** Email exchange between McMurdo and EDDC)

8. Marlcombe New Town in East Devon will not deliver housing until well into the Plan period. (Please see **Appendix 17** Housing Trajectory from EDDC's Local Plan; **Appendix 18a-b** Representations made by Turley to the EDDC Regulation 19 Plan on behalf of our client and Bloor.)

9. The strategic brownfield development sites in the ECC Plan are projected late in the plan period. (Please see **Appendix 19** Housing Trajectory from the Local Plan).
 10. The Greater Exeter Strategic Plan (GESP) (Please see **Appendix 20** GESp) showed that greenfield land could be released in Exeter without harm but, politically driven, ECC opted to respond with its “Vision” and “Liveable Exeter” effectively kiboshing development on greenfield land without proper consideration (the Sustainability Appraisal does not consider “reasonable alternatives” to deliver e.g. affordable housing, or employment land consequently)
 11. Whilst the Council has maintained that the City has had no greenfield land to develop for housing and affordable housing for a long time, Inspectors have allowed a significant number of appeals for housing development on greenfield land in Exeter in recent years. (Please see **Appendix 21** Appeal Decisions: 3202635 (155 dwellings and 64 bed care home); **Appendix 22** 3278148 (80 dwellings); **Appendix 23** 3292721 (93 dwellings); **Appendix 24** 3296946 (100 dwellings).
 12. Greenfield housing allocation Reference 90 (H2) and Land in Newcourt (EJ6) cannot be delivered as allocated. (Please see **Appendix 25-27** Representations to ECC Plan on behalf of the Pratt Group).
- 2.5. Concisely, taking Exeter and East Devon together, from the foregoing, the known cross boundary issues are:
- C 4,500 houses short in the current plan periods;
 - A severe and protracted affordable housing issue with no coherent plan to address such a need (For example, Please see **Appendix 28-29** ECC Planning Application Reference Numbers 22/1145 and 23/1007 to do with Strategic Brownfield Allocation SBA1 – Water Lane which together convey that the

site is in Flood Zone 3; will significantly affect the townscape; has significant abnormal costs (diverting a gas main for example); relies on third party land; consequently delivers 0 (**ZERO**) affordable houses);

- Significant shortages in employment land in the current plan periods with no coherent strategy to address the shortages;
- Insufficient housing and employment land allocated in emerging plans;
- Displacement of employment land;
- Strategic housing development sites backloaded in housing trajectories,

all meaning that historic failures will be swept under the carpet and strategic development will be dealt with another day (contrary to Framework Paragraph 23) if the Plans for examination are found “sound.”

- 2.6. “Shared Coordinates” (which the Council relies on to demonstrate that it has met its Duty to Cooperate), does not come close to acknowledging the strategic issues or their potential social and economic consequences if they are not addressed at the plan making stages. The “known cross-boundary issues” are stark and severe in their historic nature and scale, and the statement of common ground makes no attempt to deal with them, failing to comply with the specifics to Paragraph 36 of the “Framework” and Paragraph: 011 Reference ID: 61-011-20190315 which states: “the level of cooperation detailed in the statement [of common ground] is expected to be... proportionate [my emphasis]...to the matters being addressed.”

Response to Q4

- 2.7. Because the Council cannot point to evidence which “*demonstrates that it has engaged constructively actively and on an ongoing basis in relation to the **known** cross-boundary issues*”, it cannot, in turn, demonstrate that it has met its legal duty to “*engage constructively, actively and on an ongoing basis to maximise the effectiveness of local plan...preparation in the context of strategic cross boundary matters*” and fails in its the Duty to Cooperate.(Paragraph: 029 Reference 61-029-

20190315; Paragraph: 031 Reference ID:61-031-20190315 states that the local plan examination will first assess

Response to Q5

2.8. The Framework binds Councils to:

- work effectively under a Duty to Cooperate *“on strategic matters that cross administrative boundaries”* (Paragraph 24);
- *“collaborate to identify the relevant strategic matters which they need to address in their plans”* (Paragraph 25);
- *“determine...whether development needs that cannot be met wholly within a particular plan area could be met elsewhere”* (Paragraph 26);
- *“ensure that...b) unmet development needs from neighbouring areas are provided for in accordance with paragraph 11b”* (Paragraph 27).

2.9. Paragraph 11 b) states *“strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas”*.

2.10. Given that ECC and EDDC has not *“collaborate[d] to identify the relevant strategic matters which they need to address in their plans,”* ECC’s plan is inconsistent with Paragraph 25 of the Framework.

2.11. Because ECC and EDDC have failed to *“collaborate to identify the relevant strategic matters which they need to address in their plans”* neither can *“determine...whether development needs that cannot be met wholly within a particular plan area could be met elsewhere”* consequently cannot *“ensure that...b) unmet development needs from neighbouring areas are provided for in accordance with paragraph 11b”* meaning that ECC’s plan is inconsistent with Paragraphs 26 and 27 of the Framework.

- 2.12. Because ECC and EDDC have not worked effectively under a Duty to Cooperate “on strategic matters that cross administrative boundaries” ECC’s Plan is inconsistent with Paragraph 24 of the Framework.

Matter 1 – Legal Compliance

Issue 3 – Sustainability Appraisal (SA)

Response to Q1

- 2.13. Sections 3 and 4 of the Plan show that the Council’s “Vision” and its “Living Exeter” initiative dictated the evolution of the Plan, effectively forcing Officers to try to justify 75% of proposed strategic development on high functioning (consequently unviable and undeliverable) brownfield land.
- 2.14. The Council’s politically driven “Vision” and “Living Exeter” initiative launched in 2019 and after the Greater Exeter Strategic Plan (GESP) showed how, in 2017, greenfield land could be developed in Exeter without harm (appeal decisions bolster the validity of this process).
- 2.15. Much of the brownfield land allocated for housing is being used for other viable uses (employment uses, mainly). In many instances the existing use value (EUV) is higher than proposed residential use values meaning that in such instances Benchmark Land Values (BLV) are useless for plan making purposes (unless they reflect EUV).
- 2.16. Given that the Council’s “Vision” and its “Living Exeter” initiative dictated the evolution of the plan, effectively forcing Officers to try to justify 75% of proposed strategic development on high functioning (consequently unviable and undeliverable) brownfield land it has hard to conclude that there has been real consideration of reasonable alternative spatial strategies or their effects.
- 2.17. The likely effects of the Plan’s policies are:
- strategic brownfield sites are unviable and undeliverable;

- allocations EJ6 and H2 are undeliverable as they stand;
- housing needs (historic, too) including chronic affordable housing needs will not be met (Please see **Appendix 28-29** ECC Planning Application Reference Numbers 22/1145 and 23/1007 to do with Strategic Brownfield Allocation SBA1 – Water Lane which together convey that the site is in Flood Zone 3; will significantly affect the townscape; has significant abnormal costs (diverting a gas main for example); relies on third party land; consequently delivers 0 (**ZERO**) affordable houses);
- failing to meet housing need would exacerbate sub regional housing land issues;
- employment land needs would not be met, and the displacement of employment land would exacerbate sub regional employment land issues.

2.18. The Council has not considered reasonable alternatives including better collaboration with adjacent Councils and the release of more green field land around the City and/or adjacent to it. Consequently, the SA has not assessed reasonable alternatives.

Response to Q2

2.19. The Council should have tested reasonable alternatives including better collaboration with adjacent Councils and the release of more green field land around the City and/or adjacent to it, especially to deliver housing, affordable housing, and employment land.

Response to Q3

2.20. No and they should. It is arguable as to whether the realistic delivery of any affordable housing has been tested.

Response to Q4

- 2.21. The Council should have tested reasonable alternatives including better collaboration with adjacent Councils and the release of more green field land around the City and/or adjacent to it.

Matter 2 – Housing, Employment and Retail Need

Issue 1 – Local Housing Need and the Housing Requirement – Policy H1

Response to Q3 (5)

- 2.22. The unmet housing need is **severe** in Exeter (Exeter is more than 2,000 houses short in the current Plan period (Please see **Appendix 1** ECC’s Annual Monitoring Report) and cannot demonstrate a 5 year housing land supply (Please see **Appendix 2** for the Council’s Five Year Housing Land Supply Statement of May 2025) and sub regionally (Please see **Appendix 3** for Appeal 3355976 which shows that EDDC agreed that it has a 2.97 year supply of housing, a numerical shortfall of around 2,531 houses in the current Plan period, and rising).
- 2.23. More than 4,500 houses short in the sub region will be a material consideration in the determination of any planning application for housing in it even if Plans are “sound” and even on greenfield land (which is not in National Landscapes). Consequently, it has to be considered at the plan making stage.

Issue 2 - Affordable Housing Need

Response to Q1

- 2.24. Whether it is indeed 805 homes per year for the plan period 2021 – 2041 there has been no demonstrable effective consideration of its delivery in the Plan. We look forward to hearing from the Council on this matter at the EiP. (How can the affordable housing need per annum be higher than the total per annum housing requirement?)

Issue 3 – Employment Land Requirement

Response to Question 1 (7) and Questions 1 and 2 (8)

2.25. ECC proposes strategic allocations on high performing brownfield employment land and states that it is relying on EDDC to take its employment land needs.

2.26. But taken together:

- **Appendix 8** Appeal 3295011;
- **Appendix 9** Alder King Employment Land Review;
- **Appendix 10** ECC Planning Decision 23/1223;
- **Appendix 11** EDDC's maintained objection to ECC's Plan on employment land supply grounds; and,
- **Appendix 13** Email exchange between McMurdo and ECC).

show:

- Currently demand for employment land in the right locations far outstrips supply in Exeter and in East Devon;
- EDDC does not have enough employment land now to meet its own needs never mind ECC's needs;
- EDDC has not planned to take ECC's employment land needs and will struggle to meet its own needs;
- ECC is not taking the shortages of employment land in the City seriously reflected in its decision taking on 23/1223 which effectively granted planning permission (in late 2025) for landscaping on allocated employment land;
- EDDC maintains its objection to the ECC Plan on employment land supply grounds.
- The (welcomed) proposed modification to EJ6 means that the forecast jobs growth of 13,500 new jobs in Exeter in the Plan period is probably unachievable (Please see Page 12 of Inspectors' Matters, Issues and Questions).

Matter 3 – Spatial Strategy and Distribution of Development

Issue 1 – Spatial Strategy and Liveable Exeter Principles – Policies S1 and S2

Response to Questions 2 and 6 and 9.

- 2.27. Sections 3 and 4 of the Plan show that the Council’s “Vision” and its “Living Exeter” initiative dictated the evolution of the Plan, effectively forcing Officers to try to justify 75% of proposed strategic development on high functioning (consequently unviable and undeliverable) brownfield land.
- 2.28. The Council’s politically driven “Vision” and “Living Exeter” initiative occurred in 2019 and after the Greater Exeter Strategic Plan (GESP) showed how greenfield land could be developed in Exeter without harm (appeal decisions bolster the view that there is greenfield land that could be developed without harm in Exeter).
- 2.29. Much of the brownfield land allocated for housing is being used for other viable uses (employment uses). In many instances the existing use value (EUV) is higher than proposed residential use values meaning that in such instances Benchmark Land Values (BLV) are useless for plan making purposes (unless they reflect EUV).
- 2.30. Given that the Council’s “Vision” and its “Living Exeter” initiative dictated the evolution of the plan, effectively forcing Officers to try to justify 75% of proposed strategic development on high functioning (consequently unviable and undeliverable) brownfield land it has hard to conclude that there has been consideration of reasonable alternative spatial strategies or their effects.
- 2.31. The likely effects of the Plan’s policies are:
- strategic brownfield sites are unviable and undeliverable¹;
 - allocations EJ6 and H2 are undeliverable as they stand;

¹ Please see representations made to ECC’s Community Infrastructure Levy (CIL) Consultation as Appendix 30

- housing needs (historic, too) including chronic affordable housing needs will not be met (Please see **Appendix 28-29** ECC Planning Application Reference Numbers 22/1145 and 23/1007 to do with Strategic Brownfield Allocation SBA1 – Water Lane which together convey that the site is in Flood Zone 3; will significantly affect the townscape; has significant abnormal costs (diverting a gas main for example); relies on third party land; consequently delivers **0 (ZERO)** affordable houses);
- failing to meet housing need would exacerbate sub regional housing land issues;
- employment land needs would not be met, and the displacement of employment land would exacerbate sub regional employment land issues.

2.32. The Council has not considered reasonable alternatives including better collaboration with adjacent Councils and the release of more green field land around the City and/or adjacent to it. Consequently, the SA cannot have assessed reasonable alternatives.

Issue 2 – Employment Growth – Policy EJ1

Response to Questions 1 and 2 and 3

2.34. ECC proposes strategic allocations on high performing brownfield employment land and states that it is relying on EDDC to take its employment land needs.

2.35. But taken together:

- **Appendix 8** Appeal 3295011;
- **Appendix 9** Alder King Employment Land Review;
- **Appendix 10** ECC Planning Decision 23/1223;
- **Appendix 11** EDDC's maintained objection to ECC's Plan on employment land supply grounds; and,
- **Appendix 13** Email exchange between McMurdo and ECC).

show:

- Currently demand for employment land in the right locations far outstrips supply in Exeter and in East Devon;
- EDDC does not have enough employment land now to meet its own needs never mind ECC's needs;
- EDDC has not planned to take ECC's employment land needs and will struggle to meet its own need;.
- ECC is not taking the shortages of employment land in the City seriously reflected in its decision taking on 23/1223 which effectively granted planning permission for landscaping on allocated employment land;
- EDDC maintains its objection to the ECC Plan on employment land supply grounds;
- The (welcomed) proposed modification to EJ6 means that the forecast jobs growth of 13,500 new jobs in Exeter in the Plan period is probably

unachievable. (Please see Page 12 of Inspectors' Matters, Issues and Questions).

- 2.36. We did not and still do not know what a *Transformational Employment Site* is. Therefore, we do not see a justification for such inclusion in the Plan.
- 2.37. It would seem that *Transformational Employment Sites* allow the Council to exaggerate the number of jobs that could be accommodated on land, however, a straight forward email exchange between us and Council Policy Officers (**Appendix 13**) confirms that on a site allocated for *Transformational Employment Land* an application for planning permission for any of:
- Use Class B2 (general industrial)
 - Use Class B8 (storage and distribution) and
 - Use Class Eg (including Eg (i) offices, Eg (ii) research and development and Eg (iii) industrial processes)

would be acceptable from an emerging policy perspective, all of which have differing employee numbers.

- 2.38. The suggested modification in this regard is welcome but all it shows is that ECC's policies fail to address employment need illustrated by the concoction of Policy EJ6 .

Matter 4 – Site Allocations Process and Methodology

Issue 1 – Site Allocation Methodology

Response to Question 1

- 2.39. Sections 3 and 4 of the Plan show that the Council’s “Vision” and its “Living Exeter” initiative dictated the evolution of the plan, effectively forcing Officers to try to justify 75% of proposed strategic development on high functioning (consequently unviable and undeliverable) brownfield land.

Response to Question 2

- 2.40. It has not considered the effects of such policies. At least if it has it has decided to accept them. For example, it has decided to accept that it will deliver neither affordable housing at the level required nor employment land at the levels required.

Matter 5 – Housing Land Supply

Issue 1 – Total Housing Land Supply

Response to Question 1

2.41. No there is not.

Response to Question 2

2.42. No there is not.

Response to Question 3

2.43. It sweeps unmet needs under the carpet for another year.

Response to Question 4

2.44. Please see Paragraph 6.54 of the Local Plan and **Appendix 5** High Court Judgement; **Appendix 6** Appeal Decision 2215771; **Appendix 7** Exeter Observer article referencing apparent FoI Request relating to Student Numbers at Exeter University).

2.45. Mr Justice Hickinbotham's Judgement (which affected Exeter) from 2015, confirms that purpose built student accommodation (PBSA) may be included in 5 year housing land supply calculations if its provision (e.g.) releases (or released) housing that had been used by students into the general housing market; for Exeter key indicators are housing delivery and student numbers at the University.

2.46. If, for example, student numbers were stable or falling at Exeter University and the Council had met or over delivered housing against its requirements, then PBSA could be included in the 5 years housing land supply.

- 2.47. However, the Council is more than 2,000 houses behind an at least figure of 12,000 houses in the current plan period, and from the Local Plan (Paragraph 6.54) we can see that the number of full time students at the University of Exeter campuses was 27,280 in 2021/22 up from 11,170 in 2006/7. (It is unclear where these “campuses” are).
- 2.48. Whilst the University reported that there were 27,276 FTE students based at its Streatham and St Luke’s campuses last year, a freedom of information (FoI) request appears to show conformation that there were actually 39,450 students based at its campuses that year.
- 2.49. PBSA cannot be included in housing land supply figures in such circumstances.

Response to Question 5

- 2.50. Strategic brownfield allocations and “Regeneration opportunity areas” will effectively take windfall sites away from housing supply figures.

Issue 2 - Five-Year Housing Land Supply

Response to Question 5

- 2.51. No there is not.

Response to Question 7

- 2.52. No there will not be.

Response to Question 8

- 2.53. There is no flexibility.

Matter 7 – Meeting Housing Needs

Issue 1 – Affordable Housing – Policy H4

- 2.54. There is a severe and protracted affordable housing issue with no coherent plan to address such a need (For example, Please see **Appendix 28-29** ECC Planning Application Reference Numbers 22/1145 and 23/1007 to do with Strategic Brownfield Allocation SBA1 – Water Lane which together convey that the site is in Flood Zone 3; will significantly affect the townscape; has significant abnormal costs (diverting a gas main for example); relies on third party land; consequently delivers **0 (ZERO)** affordable houses).

Response to Question 1

- 2.55. From the evidence available it will not be, at least not in significant numbers.

Response to Question 2

- 2.56. From the evidence available it has not been.

Response to Question 4

- 2.57. It can be seen clearly that the affordable housing need is severe, however from the evidence we cannot ascertain how many affordable homes will be delivered in the Plan period.

Matter 8 – Regeneration, Employment and Economic Development

Issue 5 - New Transformational Employment Allocations – Policy EJ6

Response to Questions 1 and 2

2.58. We did not and still do not know what a *Transformational Employment Site* is. Therefore, we do not see a justification for such inclusion in the Plan.

2.59. It would seem that calling a site a *Transformational Employment* site would allow the Council to exaggerate the number of jobs that could be accommodated on such land (Please see **Page 12** Issue 2 Employment Growth Policy EJ1 Question 1 of **Inspectors' Matters, Issues and Questions**), however, a straight forward email exchange between us and Council Policy Officers (Please see **Appendix 13**) confirms that on a site allocated for *Transformational Employment* an application for planning permission for any of:

- Use Class B2 (general industrial)
- Use Class B8 (storage and distribution) and
- Use Class Eg (including Eg (i) offices, Eg (ii) research and development and Eg (iii) industrial processes)

would be acceptable from an emerging policy perspective, all of which have differing employee numbers.

2.60. The suggested modification in this regard is welcome but all it does is show that ECC's policies fail to address employment need illustrated by the concoction of Policy EJ6 .

Matter 9 – Site Allocations

Issue 1 - Housing Allocations and Windfalls – Policy H2

Response to Question 5

- 2.61. We look forward to hearing from the Council at the EiP on these aspects because it is unclear to us as to how they have been dealt with. For example, what are the differences between a strategic brownfield site allocation (Water Lane) and a regeneration opportunity (Marsh Barton) when there is a presumption in favour of development inside built up area boundaries in any event?

Issue 2 – Strategic Mixed Use Brownfield Allocations – Policies SBA1, SBA2, SBA3, SBA4 and SBA5

Generic Questions

Response to Question 1

- 2.62. Much of the brownfield land allocated for strategic housing led development is being used for other viable uses (employment uses, mainly).
- 2.63. In many instances the existing use value (EUV) is higher than proposed residential use values meaning that in such instances Benchmark Land Values (BLV) are useless for plan making purposes (unless they reflect EUV).
- 2.64. The first question, therefore, is whether housing (and/or a mix uses) can “buy out” other viable uses, bearing in mind multiple layers of interests (i.e. freehold; leasehold; sub leasehold etc).
- 2.65. If (and it is a big “If”) it can, then it would inevitably lead to the loss of employment land because it would displace it or affect the remaining employment land’s functions. (Please see **Appendix 31** Bristol City Council Development Viability Task and Finish Group Closure Report and **Appendix 31** Bristol City Council Bristol Affordable Housing Practice Note Viability Addendum which illustrates the issues to be faced in Exeter).

Policy SBA1 – Water Lane

Response to Question 1

- 2.66. We look forward to hearing from the Council at the EiP on the ownership and deliverability of all strategic brownfield allocations.
- 2.67. From the Exeter Plan Housing Trajectory on Page 168 of the Plan, we can see that the *first* strategic allocation will deliver houses in 2031-2032 in the second half of the Plan period. Every single strategic allocation will deliver in the second half of the Plan period.

Response to Question 2

- 2.68. It is normally appropriate to defer details relating to the amount and distribution of development to a Supplementary Planning Document (“SPD”), however, in the circumstances set out by us here, (taking Exeter and East Devon together, the known cross boundary issues are: more than 4,500 houses short in the current plan periods; significant employment land shortages in the current plan periods; Insufficient housing and employment land allocated in emerging plans; Displacement of employment land; Strategic housing development sites backloaded in housing trajectories) it is wholly inappropriate to leave the delivery of this key strategic site for 1,861 houses to a SPD because the Council’s position is that *“the majority of site allocation development will take place on 5 strategic mixed use sites “* (Local Plan Paragraph 16.3) and *“Water Lane is the largest strategic mixed use brownfield site allocated in the Exeter Plan”* (Paragraph 16.11). Its Plan depends on its delivery.
- 2.69. The Council’s eggs are in one basket, and the basket contains only strategic brownfield sites which the Council says are viable and deliverable. If it was only one strategic brownfield site that would deliver a minority % of housing and other needs, then our clients may have a different view on whether the Council should have to

show in detail that allocations are viable and deliverable. What happens if they are neither viable nor deliverable?

Response to Question 5

- 2.70. The policy is unclear in terms of what types and quantities of housing will be provided and is ineffective in this regard. A glaring example is: what is the percentage of affordable housing that is viable and is to be delivered? Neither the Council nor those with an interest in the land know because the costs of development and its returns are unknown. Whether the development is viable and deliverable is unknown in other words.

Response to Question 9

- 2.71. From details contained in **Appendix 28-29** (ECC Planning Application Reference Numbers 22/1145 and 23/1007) to do with Strategic Brownfield Allocation SBA1 – Water Lane which together convey that the site is in Flood Zone 3 (necessitating, inter alia, a “flood evacuation” route); will significantly affect the townscape; has significant abnormal costs (diverting a gas main for example); relies on third party land; consequently delivers 0 (ZER0) affordable houses), it is unclear.

Response to Question 10

- 2.72. No; please see our response to Question 9.

Response to Question 11

- 2.73. No, they are not: and; no, they have not been.

Policy SBA2 – East Gate

- 2.74. We look forward to hearing from the Council at the EiP on the ownership and deliverability of all strategic brownfield allocations.
- 2.75. From the Exeter Plan Housing Trajectory on Page 168 of the Plan, we can see that the first strategic allocation will deliver houses in 2031-2032 in the second half of the Plan period. Every single strategic allocation will deliver in the second half of the Plan period.

Response to Question 6

- 2.76. The policy is unclear in terms of what types and quantities of housing will be provided and is ineffective in this regard. A glaring example is: what is the percentage of affordable housing that is viable and is to be delivered? Neither the Council nor those with an interest in the land know because the costs of development and its returns are unknown. Whether the development is viable and deliverable is unknown in other words.

Response to Question 8

- 2.77. No, they are not; and; no, they have not been.

Policy SBA3 - Red Cow

- 2.78. We look forward to hearing from the Council at the EiP on the ownership and deliverability of all strategic brownfield allocations.
- 2.79. From the Exeter Plan Housing Trajectory on Page 168 of the Plan, we can see that the first strategic allocation will deliver houses in 2031-2032 in the second half of the Plan period. Every single strategic allocation will deliver in the second half of the Plan period.

Response to Question 3

- 2.80. The policy is unclear in terms of what types and quantities of housing will be provided and is ineffective in this regard. A glaring example is: what is the percentage of affordable housing that is viable and is to be delivered? Neither the Council nor those with an interest in the land know because the costs of development and its returns are unknown. Whether the development is viable and deliverable is unknown in other words.

Response to Question 5

- 2.81. It will reduce it.

Response to Question 7

- 2.82. No: it is not and railway crossings will take time and will be expensive if they are required.

Response to Question 9

- 2.83. No, they are not: and; no, they have not been.

Policy SBA4 - Exe Bridges Retail Park

- 2.84. We look forward to hearing from the Council at the EiP on the ownership and deliverability of all strategic brownfield allocations.
- 2.85. From the Exeter Plan Housing Trajectory on Page 168 of the Plan, we can see that the first strategic allocation will deliver houses in 2031-2032 in the second half of the Plan period. Every single strategic allocation will deliver in the second half of the Plan period.

Response to Question 4

- 2.86. No, they are not: and; no, they have not been.

Policy SBA5 - South Gate (Strategic policy)

- 2.87. We look forward to hearing from the Council at the EiP on the ownership and deliverability of all strategic brownfield allocations.
- 2.88. From the Exeter Plan Housing Trajectory on Page 168 of the Plan, we can see that the first strategic allocation will deliver houses in 2031-2032 in the second half of the Plan period. Every single strategic allocation will deliver in the second half of the Plan period.

Response to Question 5

- 2.89. No, they are not: and; no, they have not been.

3. Conclusion

3.1. Taking Exeter and East Devon together, the known cross boundary issues are:

- More than 4,500 houses short in the current plan periods;
- Significant employment land shortages in the current plan periods;
- Insufficient housing and employment land allocated in the right places in emerging plans;
- Displacement of employment land;
- Strategic housing development sites backloaded in housing trajectories leading to questions on deliverability (Marlcombe in East Devon; Five strategic brownfield allocations in Exeter, totalling in excess of 8,000 houses)

all meaning that historic failures will be swept under the carpet and strategic development will be dealt with another day if the plans for examination are found “sound,” with significant negative social and economic effects.

3.2. The core problem with the Plan is that ECC and EDDC have not “*collaborate[d] to identify the relevant strategic matters which they need to address in their plans,*” and ECC’s plan is inconsistent with Paragraph 25 of the Framework as a result reflected in the policies proposed.

3.3. Because ECC and EDDC have failed to “*collaborate to identify the relevant strategic matters which they need to address in their plans*” neither can “*determine...whether development needs that cannot be met wholly within a particular plan area could be met elsewhere*” consequently cannot “*ensure that...b) unmet development needs from neighbouring areas are provided for in accordance with paragraph 11b*” meaning that ECC’s plan is inconsistent with Paragraphs 26 and 27 of the Framework.

3.4. Because ECC and EDDC have not worked effectively under a Duty to Cooperate “*on strategic matters that cross administrative boundaries*” reflected in the Plan

itself, ECC's Plan is inconsistent with Paragraph 24 of the Framework and is not "sound".

- 3.5. Neither housing nor affordable housing needs will be met as the Plan stands. (The Council is relying on Purpose Built Student Accommodation in its housing land supply figures contrary to High Court Judgements and appeal decisions).
- 3.6. Employment land needs will not be met as the Plan stands. (EDDC maintains its objection to the ECC Plan on employment land supply grounds, and it cannot meet its own employment land needs let alone the needs of ECC).
- 3.7. The Council has not considered reasonable alternatives including better collaboration with adjacent Councils and the release of more green field land around the City and/or adjacent to it to meet identified needs. (Consequently, the SA has not assessed reasonable alternatives.)
- 3.8. Better collaboration with adjacent Councils would and should lead to the release of green field land around the City and/or adjacent to it to meet identified housing (including affordable housing) and employment land needs.

4. Appendices

1. ECC Annual Monitoring Report 24/25
2. ECC Five Year Housing Land Supply Statement 2025
3. PINS Appeal Decision Devoncourt Hotel
4. Devon Home Choice Quarterly Monitoring Report January 2026
5. High Court Judgement at Home Farm
6. PINS Appeal Decision Land at Home Farm
7. Exeter Observer News Article May 2023 'University comes clean on true Exeter campus student numbers over past two decades'
8. PINS Appeal Decision Land at Hill Barton
9. Alder King Employment Land Review
10. ECC Decision Notice 23/1223
11. EDDC Representation to ECC Local Plan Chapter 7
12. EDDC/ECC Statement of Common Ground Exeter Plan
13. Email Exchange with ECC Policy Officers and MLPD
14. Stuarts Representation to EDDC Reg 19 Plan
15. Broom Representation to EDDC Reg 19 Plan
16. Email Exchange with EDDC Officers and MLPD
17. EDDC Housing Monitoring Update November 2025
18. a. Representations on behalf of Bloor Homes Exeter and Stuart Partners to East Devon Local Plan 2020-2042 Second Reg 19 Publication Draft January 2026
18. b. Representation Form on behalf of Bloor Homes Exeter and Stuart Partners to East Devon Local Plan 2020-2042 Second Reg 19 Publication Draft January 2026
19. Exeter Plan Housing Trajectory
20. Greater Exeter Strategic Plan Draft Policies and Site Options Consultation Document
21. PINS Appeal Decision Land West of Clyst Road 2019
22. PINS Appeal Decision Land at Redhills
23. PINS Appeal Decision Land at Spruce Close

24. PINS Appeal Decision Land West of Clyst Road 2022
25. Pratt Group Representations to Draft Exeter Plan
26. Pratt Group Representations to Reg 18 Exeter Plan
27. Pratt Group Representations to Reg 19 Exeter Plan
28. ECC Committee Agenda 22/1145
29. ECC Committee Agenda 23/1007
30. MLPD Client Group Representations to ECC CIL Charging Schedule Consultation
31. Bristol City Council Development Viability Task and Finish Group Closure Report February 2026
32. Bristol City Council Bristol Affordable Housing Practice Note Viability Addendum January 2026

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Director

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