

EXAMINATION OF THE EXETER LOCAL PLAN

HEARING STATEMENT

MATTER 9 SITE ALLOCATIONS

PREPARED FOR
WADDETON PARK LIMITED

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Introduction

This Hearing Statement is submitted by PCL Planning Ltd on behalf of Waddeton Park Limited and relates to **Matter 9** (Site Allocations) as identified in the Inspectors' Matters, Issues and Questions (MIQs).

Waddeton Park Limited is a highly experienced land promoter, operating for over 2 decades, who has secured permission for over 3,000 new homes on sites across the South West. Working closely with landowners, local authorities, stakeholders, and local people, Waddeton Park Limited secure planning permissions for high quality, sustainable developments which benefit the wider community.

Responses to the specific Issues and Questions in relation to Matter 9 as presented in the Inspectors' MIQs are set out below under the relevant headings.

Issue 1 – Housing Allocations and Windfalls – Policy H2

Question 1 - Do the proposed residential site allocations incorporate all types of housing? What is the latest position regarding planning approvals and construction timeframes for these sites?

No. We consider the Council's approach toward site allocations is in direct conflict with the Policy S1 objective to provide good quality homes of a variety of types to meet Exeter's needs. Instead, it will secure a supply of dense flatted development that will deliver housing to only meet a narrow element of the identified need.

In our Matter 3 (Spatial Strategy) Paper we call for a more proactive approach towards the identification of greenfield sites, recognising their role in the short to medium term in supporting housing delivery would support aspirations for bringing forward the strategic brownfield sites by reducing pressure to deliver from that source (particularly given the significant deliverability concerns that exist).

Such an alternative strategy would be more balanced, providing a broader mix of dwelling types in order that all sectors of the market can be 'fed' at a rate that it

can 'absorb', and that a concentration of a particular type of site and types of development coming forward simultaneously is to be avoided.

Applications to date that have come forward on the strategic sites (including on part of the Water Lane allocation) have resulted in proposed schemes unable to deliver affordable housing, reliant on student accommodation and consisting almost entirely of flatted development with limited, or no family housing. This raises wider housing choice and mix concerns and further narrows affordable housing options, particularly as the Local Housing Needs Assessment supporting the Plan identifies that for both market and affordable housing the greatest need will be for 3-bedroom family homes.

We have set out in our Matter 5 (Housing Land Supply) Paper representations in relation to the over reliance on PBSA within the housing land supply and the lack of any mechanism to prevent PBSA also becoming the dominant form of housing on the allocated sites as well (as is evident from recent applications). The Paper also raises a number of concerns regarding the Council's approach to assessing sites as 'deliverable' and the identified timeframes for delivery within the trajectory and the lack of robust evidence to underpin the assumed construction timeframes.

Question 2 - How were different sites considered for inclusion as residential allocations? What process did the Council follow in deciding which sites to allocate?

Please refer to our Matter 4 (Site Allocations Process and Methodology) Paper and the response to Issue 1 Question 1. In this we have set out our detailed concerns regarding the Council's approach to site allocation, which we believe has been prejudiced by the Council's wish to pursue a strategy primarily focussed on strategic brownfield sites from the outset.

Contrary to the Council's position we believe that suitable and achievable greenfield sites including sites promoted by our client at Home Farm at Church Hill and Land at Barley Lane which could provide an important contribution towards meeting's the city's challenge to deliver housing in the short-term. Inclusion of

such sites would also increase the resilience of the Plan's strategy and provide a wider mix and choice of housing. Instead, despite the lessons from appeal decisions (which have yielded some 1000 homes from such sites) the Council continue to take an unreasonable and unlawful blanket approach in respect of landscape setting.

This is evident from the HELAA ruling out potential sites at Stage A by failing to recognise the distinct differences between individual land parcels within the landscape setting area. Therefore, ignoring site opportunities that have a negligible contribution to the broader backdrop of the city in terms of views, particularly where already influenced by housing associated with the suburban fringe.

Without robustly considering alternative site options the Council increases the risk for Plan failure, removing opportunity for contingency and resilience when delivery assumptions related to complex and uncertain brownfield sites are not realised.

Question 3 - How did the Council consider the infrastructure requirements of the growth proposed in the Plan and how did this inform the site selection process?

Not relevant to our representations.

Question 4 - Was the site selection process robust? Was an appropriate selection of potential sites assessed, and were appropriate criteria taken into account? How were issues such as flood risk considered?

Please refer to our Matter 4 (Site Allocations Process and Methodology) Paper and the responses to Issue 1 Questions 1 and 4.

We do not consider the site selection process was robust and was driven by the Council's wish to pursue a strategy primarily focussed on strategic brownfield sites from the outset which has prejudiced the consideration of other suitable and available locations. Furthermore, the consideration of other opportunities has been influenced by an assumption that there is no longer any capacity for greenfield

sites at the edges of the city, based on a blanket approach toward landscape setting policies.

These greenfield opportunities could provide an important contribution towards meeting's the city's challenge to deliver housing in the short-term, increase the resilience of the Plan's strategy and provide a wider mix and choice of housing.

We have, in our Matter 3 (Spatial Strategy and Distribution of Development) Paper, identified the need for providing more flexibility through the introduction of additional greenfield sites and/or a policy release mechanism that provides contingency to the Plan by supporting greenfield release in landscape setting areas where the Plan is not delivering as anticipated.

Question 5 - How did the Council consider the viability and deliverability of sites, especially where new strategic infrastructure is required or where viability has proven challenging, such as on brownfield sites like Water Lane? What differentiates Water Lane from Marsh Barton which was removed as a housing allocation to instead be a Regeneration Opportunity Area?

Please refer to our Matter 4 (Site Allocations Process and Methodology) Paper and the response to Issue 1 Question 4.

We do not consider that the Council has robustly assessed uncertainties around viability and deliverability of sites and have raised consistently concerns regarding the over reliance on large brownfield sites and the failure to realise the complexities and lead-in times for delivering them.

The Plan's strategy is not underpinned by any evidence that demonstrates that a robust approach has been taken to assess the obstacles to delivery that clearly exist for the focus on a brownfield strategy (such as evaluating the existing landownership and leasehold interests that exist and the embedded values therein), costs of redevelopment and remediation, costs of superstructure construction, programmes for business closures or the decanting of existing uses (and if the latter is to be pursued where, and at what cost, are relocation sites

available?). These are all matters that have been raised previously through representations on the Emerging Plan but remain unaddressed in terms of forming a coherent strategy to underpin the Plan's brownfield focus.

We do not consider the challenges faced by the strategic brownfield sites are significantly different to those of Marsh Barton, which ultimately led to its removal from the Plan as an allocation. It is acknowledged that there is a difference in terms of scale of the extent of Marsh Barton and therefore the need to relocate a substantial number of existing businesses for which (as outlined in our previous representations on the Emerging Plan) there was no clear strategy or plan.

Notwithstanding scale, the challenges on the other strategic sites remain complex and there is still significant uncertainty as to how these sites can be brought forward in the Plan period. Whilst the Council clearly recognised the dangers of pursuing a strategy reliant on the delivery of Marsh Barton as a strategic allocation and correctly removed it from housing delivery assumptions, it does raise the question as to why Water Lane has not been treated in the same way given many of the implementation challenges and uncertainties remain. This is despite a positive policy basis to encourage redevelopment now spanning plan periods of more than 30 years and two previously adopted local plans.

Question 6 - How did the Exeter Skyline Study and Exeter Density Study inform the site selection process, especially for sites within the city centre? Did the removal of large housing allocations such as Marsh Barton have any implications in terms of density assumptions for the remaining residential allocations? If so, what is the justification for this approach?

To maintain housing figures, a number of sites saw significant density uplifts between Full Draft and Publication Stages. Whilst the supporting information suggests this was based on the findings of the 2021 Exeter Density Study it is a matter of record that the previous version of the Plan did not consider it appropriate to seek density at that level on the same sites. In our subsequent representations we questioned what had changed other than a need to find additional housing to compensate for the removal of Marsh Barton.

It is unclear on what robust evidence the Council relied upon to suggest that these sites (a number of which are relatively small and, in some cases, have seen an almost doubling of housing yield) could accommodate this uplift. For a number of these, site context would suggest the numbers and density now being proposed would place them significantly at odds with existing built form principles. We therefore consider there is a high likelihood that the Plan over-estimates dwelling densities in inappropriate locations, as well as further narrow housing mix and choice opportunities.

Question 7 - Is the Exeter Plan's windfall allowance justified and supported by compelling evidence? How would housing development on unallocated sites outside of the urban area be dealt with? Is the policy sufficiently clear in this regard to be effective?

We do have concerns with the inclusion of the major windfall allowance in the future trajectory beyond the first 5 years of the plan, which quickly accounts for 140 dwellings per annum throughout the remaining plan period.

This figure is based on average delivery in the previous 10 years (2015/16 to 2024/25). However this would have been based on the previous planning policy context, where the Council has been consistently unable to demonstrate a 5YHLS almost consistently since the Core Strategy was adopted in 2012, with sites delivered on appeal under the tilted balance, including frequent release from the 'Landscape Setting Areas'.

The 2023 NPPF para 72 is clear that *"Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends."*. Given the historic windfall delivery rates are directly linked to plan failure, relying on the average delivery over this period to identify windfall rates appears to be pre-empting plan failure. 140 dpa represents 21.8% of the annual requirement of 642 dwellings per annum, a substantial contribution to the housing requirement.

The Council should instead be positively planning for the delivery of these homes, in particular identifying greenfield sites, including appropriate parts of the

'Landscape Setting Areas', for housing delivery as we have also set out in our Matter 3, 4 and 5 Papers.

Despite Policy H2 intending to cover 'Housing Allocations and Windfalls', the policy wording fails to provide any direction in terms of advice regarding windfall sites and opportunities that may come forward on unallocated sites. The policy is therefore clearly ineffective in this regard.

Whilst Policy S1 acknowledges the need for modest greenfield release and the supporting text for Policy H2 identifies that housing development on windfall sites will be supported (subject to relevant policies of the plan), application of other 'blanket' policies in respect of Landscape Setting reduces further this opportunity. Almost 1000 homes were released on appeal during the previous plan period. This is a clear indication of both the failure to maintain land supply and consider robustly opportunities at the city's edge.

In recognition of this, we have identified that one solution could be to include a policy release mechanism that provides contingency to the Plan by supporting greenfield release in landscape setting areas where the Plan is not delivering as anticipated. Such a 'safety valve' policy could be applied where the Council are unable to identify a 5-year housing land supply or where it scores less than 85% on the Housing Delivery Test. In those circumstances development options in landscape setting areas could be considered in principle subject to considerations of landscape and visual harm demonstrating any impacts would be contained and localised and there would be no significant landscape and visual effects.

Question 8 - What is the justification for the suggested modifications to the supporting text to Policy H2? Why are they necessary for soundness?

There are no suggested modifications put forward that would address our concerns. As we have set out above and in previous representations there are clear risks the Plan raises in respect of not being positively prepared, justified, effective and being inconsistent with national policy. This could be addressed through a more deliverable approach to plan-making and a more balanced strategy that recognises the need for choice and resilience within the housing

market, driven by the need to meet identified needs. It is simply not the case that Exeter does not still have some capacity for genuinely suitable greenfield sites that can significantly contribute to the Plan's objectives and provide much needed contingency to the over reliance on complex strategic brownfield sites with clear deliver uncertainties.

In our view, a revised approach to site allocations, including providing more flexibility through the introduction of additional greenfield sites and/or a policy release mechanism is essential is demonstrating that the Plan will be sound.

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

We have set out our concerns regarding the over reliance of the Plan's strategy on a small number of complex and uncertain strategic brownfield sites in detail across our Matter 3,4 and 5 Papers and in responding to the questions above for Issues 1 of Matter 9.

Those responses are relevant to Issue 2 of Matter 9 as well, in that they raise issue regarding the focus on a strategic brownfield strategy, despite there being a lack of robust evidence setting out how the obstacles to delivery will be addressed to give confidence in the Plan. Such obstacles include existing landownership and leasehold interests, costs of redevelopment and remediation, costs of superstructure construction, programmes for business closures or the decanting of existing uses and the unpredictability of development finances.

Whilst we have not responded to the individual questions of Issue 2, our general concerns regarding the deliverability of these sites should be considered.

Issue 3 – Topsham Infrastructure Delivery Framework – Policy TI1

Not relevant to our representations.