

EXAMINATION OF THE EXETER LOCAL PLAN

HEARING STATEMENT

MATTER 3

SPATIAL STRATEGY AND DISTRIBUTION OF DEVELOPMENT

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 3** (Spatial Strategy and Distribution of Development) 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 3 as presented in the Inspectors' MIQs are set out below under the relevant headings.

Issue 1 - Spatial Strategy and Liveable Exeter Principles (Policies S1 and S2)

Question 1 - What is the justification for the requirement in Policy S2 for homes to be provided that are predominately dual aspect?

Not relevant to our representations

Question 2 - Is the strategic approach of focussing development on brownfield land justified? Are Policies S1 and S2 effective in this regard? What greenfield development opportunities are provided?

No, the focus of the Plan on complex brownfield sites with uncertainties around viability and deliverability is not justified. Consistent concerns have been raised with regard to the over reliance on large brownfield sites and the failure to realise the complexities and lead-in times for delivering them. The Local Plan Viability Assessment Addendum does little to address those concerns, accepting that there are a range of viability issues which are recognised as being "challenging". It

addresses this by relying on parcels within sites where there may be some measure of progress as a template for the viability of the strategic sites overall. This approach is flawed in not recognising that those parcels are likely to be more straightforward in terms of landownership, contamination, existing use and flood risk. Reducing opportunities for a comprehensive delivery strategy and cost equalisation, risks making the more complex elements even less deliverable. Instead, viability challenges for longer term delivery of these sites are seemingly dismissed within the assessment by a reliance on assumed improved market conditions over time (alongside the availability of public funding). There is no evidence to support these optimistic assumptions.

There is also no evidence that any serious attempt has been made 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 brownfield focus.

It is our view that there is little in the evidence base that provides sufficient certainty that the Plan is resilient to the many uncertainties associated with bringing forward the proposed brownfield strategy. Instead, the Plan is at risk of following a well-trodden path in Exeter of significant and consistent shortfalls in housing delivery and supply, including much needed affordable housing. Whilst the Council point to recent housing delivery test outcomes in the short-term as evidence of some delivery, this does not take into account the persistent shortfall over the current plan period from 2006 (approximately 2000 dwellings). With the consequence being a widening of the gap between the most vulnerable in society who cannot access housing and those already decently housed who as a consequence of the under supply continue to benefit from increasing house prices.

The Plan's unjustified focus on complex brownfield sites with large infrastructure burdens and known delivery challenges raises a series of uncertainties that point

to a strategy that is undeliverable and is likely to fail to bring forward the houses required within the Plan period, therefore undermining the plan-led approach. The Council continue to overlook practical delivery and implementation matters and that, central to this, the majority of the brownfield sites within the strategy lack any developer interest.

These concerns are heightened by the Council's poor track record of facilitating the redevelopment of brownfield sites, with Water Lane being one example of this. Having been allocated for housing in the Exeter Local Plan covering the 1995-2006 Plan period, it was further identified in the Exeter Core Strategy adopted in 2012 and is now again proposed to be allocated in the emerging Local Plan. Despite this positive policy basis to encourage redevelopment now spanning plan periods of more than 30 years and two previously adopted local plans there remains significant uncertainties in respect of its overall delivery not addressed by this Plan.

Even where applications have been made (on part of the Water Lane allocation) this has 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. Not only does this raise wider housing choice and mix concerns and further narrow affordable housing options, it is far from clear that the housing market can absorb this focus on brownfield flatted development (since there is a limit to the number of flats that are saleable at any one time). Perhaps the greater concern is the inability of such a limited mix of housing types meeting identified needs, 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.

These points need to be borne in mind alongside the risks of more unpredictable development finances and remediation costs for brownfield sites. The cumulative result of these issues is highly likely to be a slow take up of the sites that the Plan is reliant upon and further perpetuation of the under delivery of housing in Exeter with, again, those in most need of affordable housing losing out.

Policies S1 and S2 are highly likely to be ineffective in securing the strategic focus on brownfield sites, largely for the reasons above and the uncertainties that underpin that strategy. Policies S1 and S2 largely ignore the complementary role that greenfield development could play in supporting the Plan's strategy by failing to recognise that not only does greenfield release provide for a wider spectrum of housing needs but also that it would significantly contribute to the overall resilience of the Plan, in particular by providing timely delivery in the short term whilst the Council could seek to address the very significant problems that address their extremely optimistic approach to the delivery of brownfield sites.

As a consequence the Local Plan's strategy 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 contrasts significantly with current household composition evidence (ONS - Census 2021) that identifies that almost 60% of all existing households within the city are families, and the identified need for 3 bed family homes (see preceding page of this statement and plan evidence base).

Taking 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 could be avoided. It would also provide resilience in respect of affordable housing delivery given the brownfield sites - whether due to viability, use (i.e. PBSA has no affordable housing requirement) and vacant building credit - will provide more limited opportunity.

This would significantly enhance the likelihood for a Plan-led strategy being effective (as required by the soundness tests) rather than relying on the ineffective approach of Policies S1 and S2 and an over reliance on the uncertainties of

strategic brownfield delivery within the Plan period for which there is no robust evidence of deliverability/effectiveness.

On the basis that the Local Plan seeks to focus on a brownfield strategy, limited greenfield opportunities are provided. Five strategic brownfield sites account for 65% of all proposed allocations within the Plan. Whilst greenfield sites account for less than 15% of all site allocations. The Plan is therefore substantially reliant on the delivery of the most complex and difficult sites (the strategic allocations), underpinned by other brownfield sites which face their own delivery challenges. Greenfield opportunities are clearly resisted and limited in the main to small incidental sites. This is at odds with the Council's claim that there is a range of site allocations within the Plan. It is important to recognise that when the Plan fails any subsequent Plan review can only be a 'sticking plaster' for an ineffective strategy to start with.

Furthermore, it is clear from the Plan's Housing Trajectory that (notwithstanding our view that delivery is uncertain within any part of the Plan period) these strategic sites will not contribute housing until the second half of the Plan period at the earliest. Therefore, even if these sites are deliverable (which we doubt) they will not play any part in addressing the urgent need for housing and the chronic existing undersupply in Exeter for a decade at least. In order to give a more immediate boost to housing supply, it is again clear that deliverable greenfield site release to support housing delivery in the early part of the Plan period and compliment later brownfield sites coming forward would make the Plan much more resilient and effective.

Additional greenfield opportunities exist as is evident from sites previously promoted during the Local Plan process; and these sites have been demonstrated to be genuinely available and deliverable. Our client has promoted sites at Home Farm at Church Hill and Land at Barley Lane through our previous representations 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, including affordable housing.

Instead these opportunities have been disregarded by the Council on the basis of a blanket approach supported by a landscape setting harm argument which is not underpinned by any robust evidence and which has been successfully challenged significantly over the years and found, in many cases, to not be a constraint on development (thereby demonstrating the flaws of the evidence base that the Council rely upon). Despite this, detailed assessment of greenfield opportunities and a more granular review of landscape setting have not been carried out. This means that such opportunities will be left, as before, to come forward through appeals, undermining further the Plan-led approach.

Given the critical need to deliver housing to meet identified needs, all reasonable opportunities for meeting that need must be delivered. It is simply not the case that Exeter does not still have some capacity for additional greenfield sites that could significantly contribute to the Plan's objectives.

Question 3 - How does Policy S2 relate to the Exeter St James Neighbourhood Plan and its principle of 'community balance'?

Not relevant to our representations

Question 4 - Does the distribution of development from allocations, commitments and completions since the start of the plan period reflect the overall spatial strategy set out in Policies S1 and S2?

No. Development in Exeter since the start of the Plan period is (and will be for a significant part of the Plan period) reliant on delivery from greenfield sites, many of which have been released as a result of successful appeals on the basis of the Council's inability to maintain a sufficient supply of deliverable housing sites, of which a significant proportion have been projected to come from brownfield sites that have failed to deliver. The proportion of delivery on greenfield sites will be significantly in excess of that expected through the Spatial Strategy and its focus on strategic brownfield sites.

Whilst an initial mismatch between spatial strategy and commitments and completions is to be expected, it does also highlight the challenge in moving towards a strategy focussed on complex brownfield sites with uncertain lead-in and delivery timescales. This raises the strong possibility that the early plan period is likely to be characterised by under supply and a reliance on windfall (possibly through land supply challenges) which will undermine the Plan-led strategy.

Whilst Policy S1 acknowledges the need for modest greenfield release, 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. The fact that this occurred alongside an overall shortfall of some 2000 dwellings across the plan period within the context of a Core Strategy that did identify strategic greenfield sites (rather than rely on complex and uncertain strategic brownfield sites) is perhaps an indication of the risks that the current strategy will face and its likely failure (unless amended).

In recognition of this, one solution could be including 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.

We will provide further representations on this matter and some suggested text for the above 'safety valve' policy in our Matter 11 (Natural Environment) Hearing Paper.

Question 5 - Is the broad distribution of growth (as set out in Policies S1 and S2 and as shown on the key diagram), consistent with paragraph 109 of the Framework, which states that significant development should be

focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes?

Exeter is a compact city which offers wide range of sustainable travel options throughout its extent with large parts of the city served by bus and rail services and benefitting from a wide range of accessible services and facilities. Whilst development in the centre offers the most sustainable options it is not the case that sites at the edge of the city are unsustainable. They will still benefit from sustainable transport choices. Indeed, development in areas outside of the centre are likely to provide opportunities to maintain the viability and feasibility of existing services and facilities, ensuring these remain available for new and existing communities.

Question 6 - What process did the Council follow to determine the distribution of this new development? Was this process robust and based on reasonable judgements about where to direct new development?

It is considered that the wish of the Council to pursue a strategy primarily focussed on strategic brownfield sites from the outset was blinkered, not robust, and not based on reasonable judgement. It has prejudiced the consideration of other suitable and available locations. This has been led by the assumption that there is no longer any capacity for greenfield sites at the edges of the city. However, the evidence base does not robustly consider such opportunities or, importantly, provide any granular assessment of landscape setting in relation to releasing sites.

Previous appeal decisions highlight that sites and proposals need to be assessed on their own merits, taking into account their different values and functions and therefore the contribution that they make to landscape setting. Sites within the landscape setting areas (LSA) vary significantly in terms of visibility, public accessibility and setting. This does mean that undeveloped sites within the landscape setting areas can still 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.

However, assessment of sites through the HELAA has failed to recognise this and instead rules out sites at Stage A without assessment on the basis of the 2022 LSA and the identification of the site as being “within landscape that has a high sensitivity to new housing development.” In line with the concerns above regarding the Council’s blanket approach towards landscape setting, this fails to recognise that the broad assessment within the LSA ignores the distinct differences between individual land parcels. It is neither robust, nor reasonable.

As outlined above, the opportunity to include a specific policy mechanism for the release of housing development within landscape setting areas where the plan is not delivering as anticipated, would add some much needed contingency into the Plan’s strategy.

Question 7 - Have Policies S1 and S2 been included within the Local Plan Viability Assessment and tested to ensure that they are viable and deliverable?

It is not clear how the viability assessment has tested policies S1 and S2 to demonstrate that they are viable and deliverable. Instead, the viability assessment focuses on the strategic sites individually. As outlined above the reliance on the strategic brownfield sites bring specific challenges to the delivery of the Spatial Strategy and policies S1 and S2. Whilst the assessment recognises these challenges it provides little comfort that it has appropriately grappled with the need for a comprehensive delivery strategy to support cost equalisation across multiple and ‘fragile’ landownerships and taken into account the complications of site assembly, contamination, flood risk and existing use value etc

Without this there is little evidence within the Local Plan process to suggest the aspirations underpinning the Plan approach are deliverable.

Question 8 - Do the Liveable Exeter principles apply to greenfield development, or just large-scale brownfield developments?

No. The policy wording is clear that Policy S2 and the Liveable Exeter Principles are only relevant to the strategic, mixed use brownfield development proposals. Proposed Modification SMM2 clarifies this further.

Question 9 - Has the overall distribution of growth and development been fully informed by the SA and other evidence? What adequate reasonable alternatives have been considered?

No. The Sustainability Appraisal only considered 4 specific strategic options which present specific extremes in terms of strategy choices i.e. brownfield focus, greenfield focus, small dispersed sites focus and transport focus. It does not consider the more moderate approach which we are suggesting in our representations that would see a brownfield strategy underpinned by additional greenfield development opportunities.

Concerns have been expressed consistently through the Local Plan process regarding the over reliance on complex strategic brownfield sites, highlighting the benefits of introducing additional greenfield sites to provide resilience as well as wider housing choice. This was a reasonable alternative that should have been considered in the Sustainability Appraisal.

Question 10 - Does the approximate distribution of new housing and employment development appropriately reflect transport opportunities and constraints?

No. Concentration of residential uses in the centre will place pressure on already constrained internal circulation routes.

Question 11 - Would an alternative distribution within the Plan area of the same amount of new development be likely to have significantly less impact on the strategic road network?

As outlined above, Exeter provides a wide range of sustainable travel options throughout its extent with large parts of the city served by bus and rail services and benefitting from a wide range of accessible services and facilities. This does

provide the basis for an alternative growth distribution that reduces pressure on a small number of transport routes within the centre, whilst providing opportunities outside of the centre to maintain viability and feasibility of existing services and facilities, ensuring these remain available for new and existing communities.

It is also important to recognise Exeter's strategic role within the South West and its wider draw beyond the city. Promoting reduced car dependency by focusing development within the city centre does not address the realities of the large numbers of daily commuters into and out of Exeter. Furthermore the location of major employment sites on the edge of the city and to the east of M5 (alongside the loss of traditional employment sites within the centre to residential use) will bring its own challenges in terms of impacts on the strategic road network.

Question 12 - For the plan to be sound, is it necessary for there to be additional evidence, at this stage, of the likely impacts of the new development proposed in the plan on junctions 29, 30 and 31 of the M5 and on the A30, A38 and A379 roads?

Not relevant to our representations

Question 13 - In terms of this issue, are any of the suggested modifications in the Schedule of Suggested Modifications necessary for soundness?

With the exception of a minor wording change to Policy S2 the Council are not seeking to make modifications in respect of the Spatial Strategy. 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 delivery uncertainties.

In our view only a full reconsideration of the Spatial Strategy and planned distribution of development could lead to the Plan being considered sound.

Issue 2 – Employment Growth – Policy EJ1

Question 1 - The Greater Exeter Economic Development Needs Assessment (EDNA) contains a baseline forecast of jobs growth for Exeter of around 13,500 new jobs over the period 2020-2040. The Economy and Jobs Topic Paper⁸ states that this will be exceeded with growth of about 14,900 new jobs over the plan period. Is this level of job growth realistic? How has it been calculated and how does it compare to other projections for employment in other parts of Greater Exeter over the plan period? How does it compare to past performance?

Not relevant to our representations

Question 2 - How does the projected number of jobs compare to the supply of employment land and housing land? Could the projected number of new jobs (and thus homes and employment land needed) be higher?

Not relevant to our representations

Question 3 - What is the difference between the four economic growth scenarios set out in the evidence? Why does the Council consider the mid-point economic growth scenario to be the most appropriate baseline for plan making purposes¹?

Not relevant to our representations

Question 4 - What is the justification for the suggested modifications to Policy EJ1? Why are they necessary for soundness?

Not relevant to our representations