

Exeter Plan 2021-2041

Publication Stage (Regulation 19)

Representation Form

Ref:

**(For official
use only)**

Name of the Local Plan to which this representation relates: Exeter Plan 2021-2041

Please return to Exeter City Council, Local Plans Team, Paris Street, Exeter, EX1 1JN, upload onto our consultation portal at <https://exeterplanpublication.commonplace.is/> or email to planning.policy@exeter.gov.uk by **11:59 pm** on **6 February 2025**.

This form has two parts:

Part A – Personal Details: Needs to be completed only once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A: Personal details

1. Personal details*

*If an agent is appointed, please complete only the Title, Name and Organisation (if application) boxes below but complete the full contact details of the agent in section 2.

Title

First Name

Last Name

Broom

Job Title (where relevant)

Organisation (where relevant)

Address Line 1

c/o agent

Line 2

Line 3

Line 4

Post Code

Telephone number

E-mail address

2. Agent's details if applicable

Title

First Name

Last Name

Job Title (where relevant)

Organisation (where relevant)

Address Line 1

Line 2

Line 3

Line 4

Post Code

Telephone number

E-mail address

Part B – Representation

Please use a separate sheet for each representation

3. To which part of the Exeter Plan does this representation relate?

Paragraph

Policy

Policies Map

4. Do you consider that this part of the Exeter Plan is legally compliant?

Yes

No

4 (a). If yes, and you wish to support the legal compliance of this part of the Exeter Plan, please use this box to set out your comments.
(Continue on a separate sheet if necessary)

4 (b). If no, please give details of why you consider this part of the Exeter Plan is not legally compliant. Please be as precise as possible.
(Continue on a separate sheet if necessary)

4 (c). Please set out the modification(s) you consider necessary to make this part of the Exeter Plan legally compliant, in respect of any legal compliance matters you have identified at 4(b) above. You will need to say why each modification will make this part of the Exeter Plan legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.
(Continue on a separate sheet if necessary)

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

Yes

No

5 (a). If yes, and you wish to support the soundness of this part of the Exeter Plan, please use this box to set out your comments.

(Continue on a separate sheet if necessary)

5 (b). If no, please give details of why you consider this part of the Exeter Plan is unsound. Please be as precise as possible.

(Continue on a separate sheet if necessary)

Please note that these representations should be read in conjunction with representations submitted to previous consultations of the Exeter Plan made by McMurdo LPD on behalf of our Client.

Policy H4

Proposed Policy H4 requires that brownfield land of over 0.5ha or 10 homes, provides a minimum percentage of 15% as affordable housing with a split of, social rent 50% and affordable home ownership (50%). Whilst this is a substantially lower target than the adopted Core Strategy Policy CP7 which requires 35% of market dwellings to be secured as affordable housing, recent ECC planning decisions confirm that even on large scale strategic brownfield sites (with Water Lane being noted as the largest strategic mixed use brownfield site (para.16.11)), developments (including 23/1007/OUT Water Lane) are still being found unviable even without any affordable housing provision.

Paragraph 6.16 of the Exeter Plan states that the targets and tenure split in policy H4 are set in light of the need for affordable housing in the city identified by the 2024 Exeter Local Housing Needs Assessment (LHNA) and the viability assessment of the Plan, with the latter confirming that different affordable housing targets must be set for brownfield and greenfield sites to ensure that residential development in Exeter is viable. Further, it states that overall, it is likely that policy H4 will deliver approximately 20% of homes as affordable, while grants and other subsidies will be used to increase the number of affordable homes delivered.

Brownfield Redevelopment and Affordable Housing Delivery

Strategic mixed use brownfield allocation SBA1 Water Lane, a site of 36.2 hectares is identified as delivering mixed use development including 1,861 homes. The policy notes that affordable housing will be required in accordance with policies H4, H5 and H6, indicating an affordable housing provision of 15%.

980 of these homes are subject to planning application reference 23/1007/OUT. This application was assessed against Core Strategy Policy CP7 which requires 35% of market dwellings to be secured as affordable housing (with the NPPG suggesting that 20% of build to rent accommodation should be affordable private rent) subject to viability. The ECC Planning Committee has recently resolved to

approve this application, in accordance with the Officer recommendation [See Committee Agenda for Planning Committee here](#). The recommendation concluded that the development is unviable both with and without affordable housing provision.

A Financial Viability Appraisal (FVA) was included within the application submission, assessed by an independent consultant and considered to be consistent with the RICS Practice Statement and Guidance. The independent assessment of the FVA confirmed that the viability gap is substantial and that the development is unviable. The Committee Report confirms that, due to significant abnormal and additional costs in bringing this brownfield site forward, the development would not be able to provide affordable housing in addition to the infrastructure funding. The Committee Report confirmed that still, even without affordable housing provision, the development is unlikely to proceed without external subsidy or other intervention. Any grant of outline permission is not therefore an indication that this development will come forward with or without affordable housing.

The conclusions of the application FVA is a stark contrast to the findings of the Viability Assessment (VA) of the Exeter Plan (para. 6.5) which found that the brownfield higher density allocations of VA1 Exeter central (which includes SBA1 Water Lane), *'are broadly viable as tested and able to deliver the general policy requirements'*. The VA (para.6.8) caveats that *'there is little detail available on site costs or funding mechanisms for the allocation specific policies'* and that *'the approach taken within the viability assessment is to separately test the likely forms of development and tenures and consider the viability headroom available to meet any site specific cost implications'*. Further, the VA assumes lower values than existing use values, i.e. the viability assumes brownfield land values not existing high value employment use values, resulting in unrealistic outcomes when determining the viability of the Exeter Plan. In light of this (and in noting the outcome of 23/1007/OUT), the accuracy and reliability of the findings of the VA with regard to brownfield allocations is highly questionable. [See Viability Assessment of Exeter Plan here](#)

Application reference 23/1007/OUT Water Lane (South) demonstrates that brownfield sites cannot be a reliable source of affordable housing delivery, and in this case housing delivery generally.

A further example of the complexities surrounding brownfield redevelopment as a mechanism to deliver affordable housing is application reference 24/0911/MDO for the Harlequin Centre, Paul Street, Exeter. This application was for the modification of an existing S106 agreement attached to application reference 21/1104/FUL to pay a financial contribution in lieu of provision of affordable private rent units to improve scheme viability. [See Committee Agenda for Planning Committee here](#)

In 2022, a development of 383 co-living bedspaces (sui generis) was approved, including 55 affordable studios and 21 affordable cluster bedspaces with priority given to essential local workers. The Committee Report concluded that 20% of housing, noting that it is a buy to rent scheme, should be affordable private rent in accordance with NPPG benchmark figures.

The Committee Report concluded that the original approved scheme is not financially viable and will not be delivered due to rising costs in the construction industry since the planning permission was granted. The Report noted that the removal of affordable private rent would increase the development value and would make the scheme more attractive to investors, which is needed to generate the development finance necessary to deliver the scheme.

Whilst in this case, a financial contribution has been secured, it highlights the viability implications on the delivery of development generally, and specifically the delivery of affordable housing, when the majority of housing delivery is focused on brownfield sites.

Further, it is noted that at the time of the Committee Report's publication, it could not be confirmed where the off-site financial contribution would be spent but that it could be used to unlock other sites in the City in need of investment. The Committee minutes also note that it would *'difficult to determine how many 1 and 2 bedroom units Exeter City Council would acquire with the £7.5m'* financial contribution.

Whilst a laudable aspiration, the above developments evidence that a Plan which focuses the majority of development on brownfield allocations cannot reliably achieve the affordable housing needs of the Exeter or the wider sub-region.

ECC and EDDC (and arguably other administrative areas) are failing in their Duty to Cooperate. The Exeter Plan needs to address the shortfall in housing land supply either by allocating additional deliverable land within its administrative boundary to meet Exeter's need or alternatively if this is not possible it must successfully engage in the Duty to Cooperate and formally make a request to EDDC (and other administrative area) to assist in meeting the housing and employment needs of Exeter.

Our Client's land is suitable and available to meet Exeter's (and East Devon's) housing needs, including affordable housing, broadly in line with the issues the subregion faces.

5 (c). Please set out the modification(s) you consider necessary to make this part of the Exeter Plan sound, in respect of any soundness matters you have identified at 5(b) above. You will need to say why each modification will make this part of the Exeter Plan sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.
(Continue on a separate sheet if necessary)

The Exeter Plan needs to address the persistent and significant shortfall in housing land supply (and so affordable housing provision) either by allocating additional land within its administrative boundary to meet Exeter's need or alternatively if this is not possible it must successfully engage in the Duty to Cooperate and formally make a request to EDDC (and other administrative area) to assist in meeting the housing needs of Exeter. Consideration should be given to suitable greenfield sites where affordable housing delivery can be delivered with more certainty.

Our Client's land is suitable and available to meet Exeter's (and East Devon's) housing needs including affordable housing needs broadly in line with the issues the subregion faces.

6. Do you consider that this part of the Exeter Plan complies with the Duty to Co-operate?

Yes

No

6 (a). If yes, and you wish to support this part of the Exeter Plan's compliance with the duty to co-operate, please use this box to set out your comments.
(Continue on a separate sheet if necessary)

6 (b). If no, please give details of why you consider this part of the Exeter Plan fails to comply with the duty to co-operate. Please be as precise as possible.
(Continue on a separate sheet if necessary)

Exeter is more than 2,000 houses behind in the current plan period ([See Authority Monitoring Report 2023-2024 here](#)) and doesn't have a 5 year housing land supply ([See Committee Agenda for Planning Committee here](#)). Clearly, it doesn't have enough employment land (See EDNA). East Devon, its neighbour, has 2.97 years housing land supply ([See SPC Report here](#)) and a recent appeal ([See Appeal Decision here](#)) found that it had only 2Ha of employment land available. Advice from Inspectors following the EiP into Teignbridge DC's Plan means that TDC will have to reconsult on housing policies that provide for growth from Exeter (and Torbay).

The evidence shows a failure in the DTC.

Our Client's land is suitable and available to meet Exeter's (and East Devon's) housing needs including affordable housing needs broadly in line with the issues the subregion faces.

Please note that non-compliance with the duty to co-operate is incapable of modification at examination.

7. If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.
(Continue on a separate sheet if necessary)

8. If you would like to make representations on the Habitats Regulation Assessment (HRA) please provide your comments here, stating to which part of the HRA your comments relate.
(Continue on a separate sheet if necessary)

Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

9. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Yes

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

10. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

(Continue on a separate sheet if necessary)

We would like to participate in the hearing sessions to elaborate further on the issues raised in these representations.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

For more information on how we use your data – please read our privacy notice at the following website: <https://exeter.gov.uk/media/5750/planning-policy-privacy-notice.pdf>

APPENDICES



Appendices 20009

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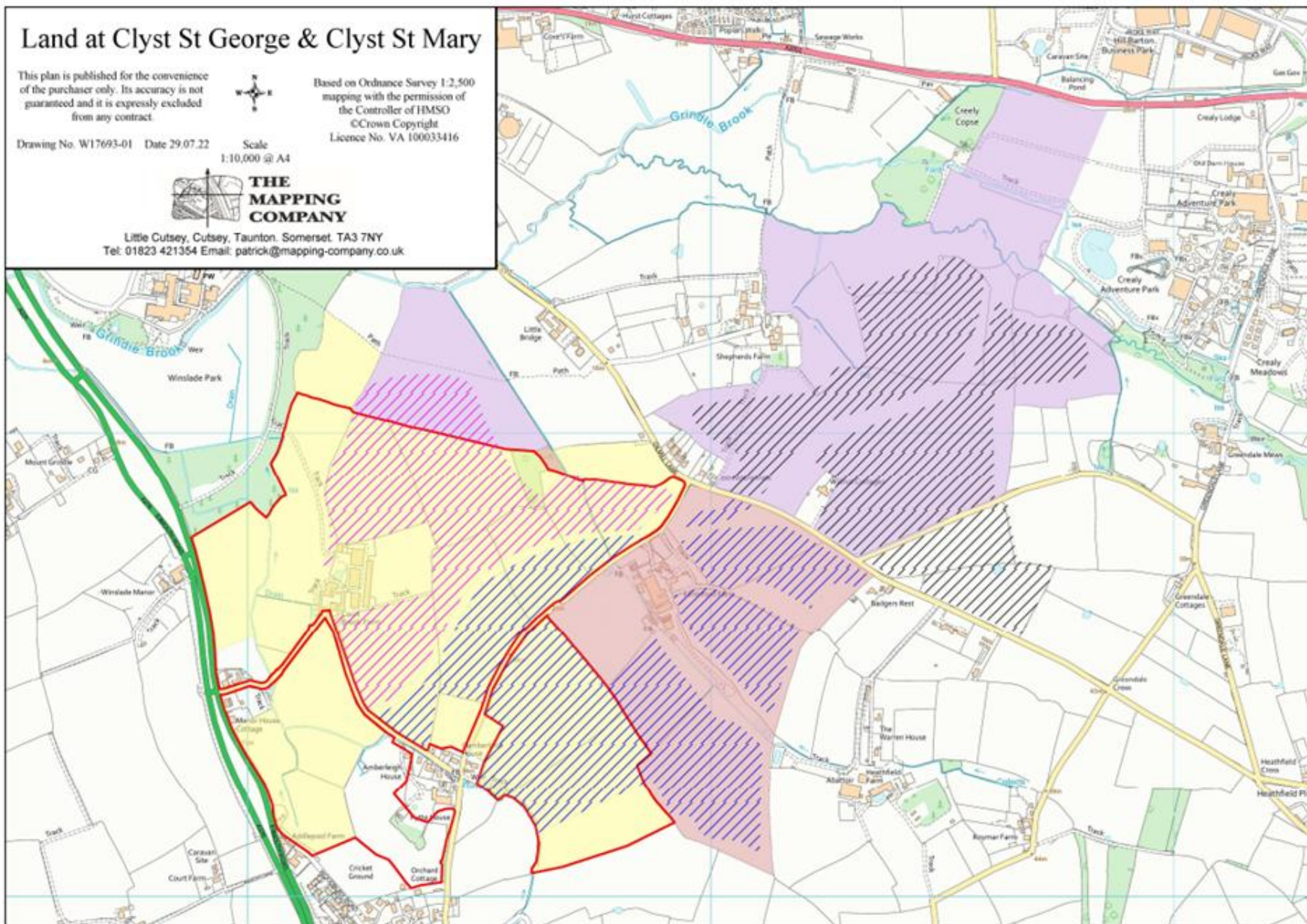
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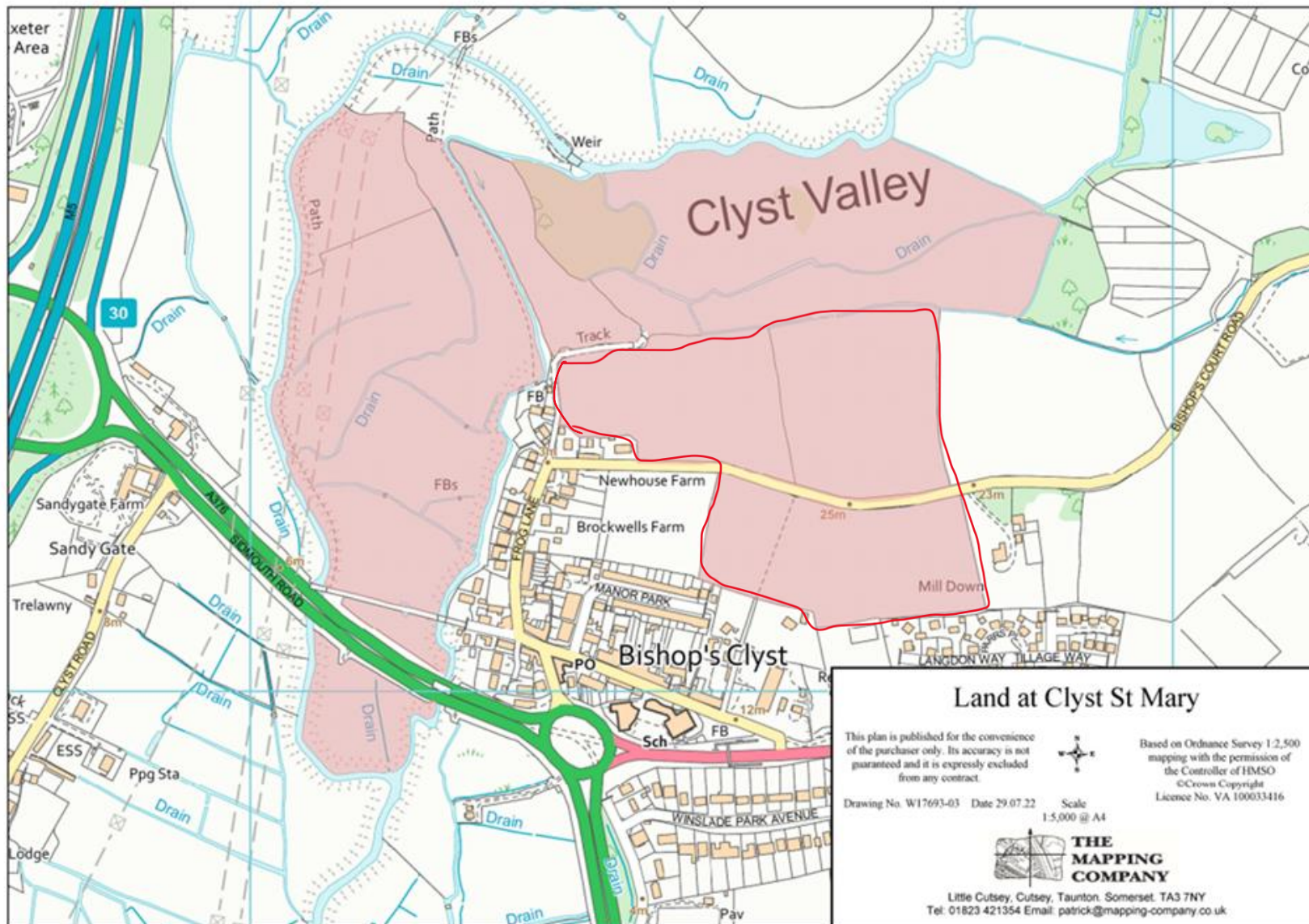
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**THE
MAPPING
COMPANY**

Little Cutsey, Cutsey, Taunton, Somerset. TA3 7NY
Tel: 01823 421354 Email: patrick@mapping-company.co.uk





Land at Cyst St Mary

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Tel: 01823 421354 Email: patrick@mapping-company.co.uk

Land at Clyst St George & Clyst St Mary ☐ - Retained Land

 - Retained Land

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Tel: 01823 421354 Email: patrick@mapping-company.co.uk

