

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

Ms

First Name

Katie

Last Name

Peters

Job Title (where relevant)

Organisation (where relevant)

Edenstone Homes

Address Line 1

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

Yes

No

Please see accompanying representations document.

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)

Please see accompanying representations document.

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)

Please see accompanying representations document.

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)

Please see accompanying representations document.

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

Yes

No

Please see accompanying representations document.

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)

Please see accompanying representations document.

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 see accompanying representations document.

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)

Please see accompanying representations document.

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)

Please see accompanying representations document.

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)

Please see accompanying representations document.

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)

Please see accompanying representations document.

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)

No.

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)

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)

Edenstone would like to reserve their right to appear as a party in control of a proposed allocation.

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>

Exeter Plan 2021-2041 Publication Stage (Reg. 19)

Representations by Savills on behalf of Edenstone Homes



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1. Introduction

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Introduction

These representations have been prepared and submitted by Savills on behalf of Edenstone Homes (Edenstone) in response to Exeter City Council's (the "Council") Exeter Plan 2021-2041 Publication Stage (Reg. 19) consultation, including evidence base, published in December 2024.

Edenstone have not participated in earlier consultations on the Local Plan, however, they have now acquired control of Land adjoining Silverlands (Silverlands / the "site"), which is proposed as a draft residential allocation of 67 homes in Policy H2, and forms the last parcel of land to come forward at Alphington, as allocated in Policy CP19 of the adopted Exeter Core Strategy (2012). Edenstone submitted an initial pre-application in December 2024 for the site and intend to prepare and submit a full planning application during the course of 2025.

These representations are intended to support the Council's preparation of a sound Local Plan including the continued residential allocation of Silverlands, but also to provide comment on non-site specific development management policies. However, in its current form, Edenstone do not consider that the Local Plan is sound, and should not therefore progress to submission without amendment.

Where practical, these representations propose the necessary amendments to enable the Plan to be found sound. In a range of instances, revised text has been included, where red strikethrough text indicates a deletion and green underlined text indicates a proposed addition. All other text in quotations is original.

Appendices to Representations

Accompanying this submission are the following appendix:

- A. Consultation Questionnaire Form

2. Local Plan (Reg. 19)

2. Responses to Proposed Submission Local Plan

CC1 Net Zero Exeter (Strategic Policy)

Edenstone support the principle of managing climate change and working toward net zero. As a company Edenstone are working toward delivering all developments as net zero prior to 2030.

Nevertheless, Edenstone consider draft Policy CC1 to be unsound for the following reasons.

Firstly, quoted below is the Written Ministerial Statement (WMS) of 13th December 2023, which directly addresses the soundness of policies such as this. Emphasis is Savills.

- a) *"The improvement in standards already in force, alongside the ones which are due in 2025, demonstrates the Government's commitment to ensuring new properties have a much lower impact on the environment in the future. In this context, the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations."*
- b) *Any planning policies that propose local energy efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed rationale that ensures:*
 - *That development remains viable, and the impact on housing supply and affordability is considered in accordance with the National Planning Policy Framework.*
 - *The additional requirement is expressed as a percentage uplift of a dwelling's Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP).*
- c) *Where plan policies go beyond current or planned building regulations, those policies should be applied flexibly to decisions on planning applications and appeals where the applicant can demonstrate that meeting the higher standards is not technically feasible, in relation to the availability of appropriate local energy infrastructure (for example adequate existing and planned grid connections) and access to adequate supply chains.*
- d) *To be sound, local plans must be consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework and other statements of national planning policy, including this one".*

It is clear from the WMS that the Government considers Building Regulations to be the preferred and primary mechanism to deliver improvements in energy efficiency and setting guidance in relation to carbon emissions.

Secondly, away from the principle, the wording of draft Policy CC1 is too imprecise to act as an effective development management policy, and reads more as a vision statement.

Thirdly, the majority of the lettered bullets within the draft Policy are in any event already covered by other draft policies within the plan which are more specific and precise for development management purposes, therefore this draft Policy is not necessary. For example “*g. utilising SuDS and other nature-based solutions to deliver flood risk management*” is much better managed by the provisions of draft Policy CC8.

Lastly, it does not appear from the viability evidence that any allowance has been made for the impact of this draft Policy beyond Building Regulations compliance, meaning that there is no justification to evidence the impact it could have on viability.

On the basis of the comments above, no alternative wording is proposed. Instead these representations encourage the Council to rework this draft Policy to acknowledge that targets will be dictated by national Government and up to date building regulations, rather than local policy.

CC3 Local Energy Networks (Strategic Policy)

As above, Edenstone support the principle of managing climate change and working toward net zero, and acknowledge the role that low carbon energy networks can play in this.

However Edenstone consider draft Policy CC3 to be unsound on the basis of its proposed requirement for all new development of a certain scale to consider connection to, or futureproof for connection to, heat networks within specified distances.

Firstly, this requirement appears to pre-judge that energy networks are more environmentally and economically sustainable than any site specific energy strategy which a development might be able to deliver independently. There is no evidence to justify this, nor would the developer have any control over the sustainability of the network the draft Policy requires them to consider connection to. This requirement could have the opposite effect and stymie opportunities for extremely environmentally sustainable solutions to come forward on individual sites.

Secondly, although “*feasibility*” and “*viability*” are caveats mentioned within the draft Policy, the requirements of draft Policy CC3 would create a scenario whereby owners of heat networks (which are entirely unregulated) could impose whatever commercial terms they like to developers with projects caught by the policy. This also offers no protection for future residents or occupiers of schemes in terms of energy costs, or the ability to shop around for lower energy costs. This is entirely unreasonable and unjustified.

Taking account of both points above, the viability evidence underpinning the draft Plan confirms that “*no specific allowances made*” for this draft Policy in the testing work undertaken, meaning that there is no evidence to consider the impact of this draft Policy on viability. Therefore it is unjustified.

On the basis of the comments above, no alternative wording is proposed. Instead these representations encourage the Council to reconsider this draft Policy.

CC5 Future Development Standards (Strategic Policy)

As above in relation to draft Policy CC1, the Government has been clear that these are matters to be addressed through Building Regulations, and not through local planning policy. Therefore this draft Policy is not consistent with national policy and there is no adequate justification for why it is needed as a “local back-up”.

On the basis of the comments above, this draft Policy should be deleted in full for soundness.

CC6 Embodied Carbon

As confirmed above, Edenstone support the Council's ambitions for reducing carbon emissions, however, consistent with the concerns raised by the Home Builders Federation (HBF), Edenstone do not consider that this draft Policy is justified or consistent with national policy.

The HBF representations highlight that there are currently significant gaps for collecting data and measuring whole life carbon consistently and comparatively. As a result, the Future Homes Hub have prepared a roadmap for the development of an industry-led approach for reducing embodied and whole life carbon in new homes which is expected to be aligned with emerging national Government policy. This will include a Future Homes Carbon Assessment Tool.

The HBF also highlight the issues with including assessment of carbon as part of the planning process, given the highly technical nature of the process, which much more naturally aligns with Building Regulations.

Given the Government's position on setting standards at a national level, Edenstone do not believe this draft Policy aligns with national policy, nor is the need for it justified. As such, it should be removed in full to achieve soundness.

CC7 Development that is Adaptive and Resilient to Climate Change

As noted in relation to some of the other policies of this Plan, Edenstone support the general principle of what this policy is seeking to achieve, however, it is far too unspecific to function effectively as a development management tool.

This draft Policy should be removed in full to ensure soundness.

CC8 Flood Risk (Strategic Policy)

Edenstone encourage the Council to review the wording of this draft Policy in light of the publication of the latest National Planning Policy Framework (December 2024). In particular, it should be acknowledged that there is not a requirement for development to undertake the sequential test if it has already been tested at plan-making stage.

Supporting text should also be amended accordingly.

CC9 Water Quantity and Quality

Again, this draft Policy seeks to implement standards which are materially different to those already established in Building Regulations, with the former looking to implement a cap of 110 litres per person per day, compared to Building Regulations' 125.

On the basis that this matter is already covered by Building Regulations and the emerging draft Policy is inconsistent with it, the first paragraph of this policy should be deleted for soundness.

~~"All new residential development proposals must achieve, as a minimum, water efficiency that requires an estimated water use of no more than 110 litres per person per day."~~

H2 Housing Allocations and Windfalls (Strategic Policy)

Land adjoining Silverlands (Site Ref. 18)

As noted in the Introduction, Edenstone control this land and support its inclusion as a residential only allocation, continuing the principle established by the wider Alphington allocation for 500 dwellings within Policy CS19 of the adopted Exeter Core Strategy (2012). Other land within the Alphington allocation is being built out by Redrow to the east and Tilia Homes to the west.

Notwithstanding Edenstone's support for the continued allocation, these representations are, however, unclear on how the proposed capacity of 67 homes proposed in Policy H2 has been arrived at, and we consider that this may be a little on the high side, taking account of densities and character within the neighbouring consents and supporting paragraph 6.12's requirement for development pursuant to Policy H2 to "*reflect the pattern of the streets and buildings, plot sizes and the ratio of built form to garden in the surrounding area, although innovative designs can also sometimes help to achieve an acceptable solution that respects an area's character*". As a benchmark, Edenstone's pre-application enquiry submitted in December 2024 proposes a scheme of 52 units, comprising a mix of 1 bedroom flats through to 4 bedroom houses. As means of resolving, it may be most practical to refer to "up to 67 homes".

H4 Affordable Housing

Edenstone are in general support of the delivery of affordable housing subject to viability, however, have the following comments in relation to draft Policy H4. These comments should be read alongside the response to draft Policy IF4 (Viability) below.

- Although the supporting text to draft Policy H4 (paragraphs 6.16 and 6.17) references the Exeter Local Housing Needs Assessment as evidence, it is not clear from our review how the proposed tenure splits have been arrived at on the basis of the evidence available. Therefore in the first instance we have to assume this is unjustified.
- Notwithstanding the above, there will inevitably be locational variations in need for different tenures of affordable product, even within a modestly sized administrative area such as Exeter City's. To ensure that the Plan helps to deliver development that truly meets the needs of Exeter City, the draft Policy or its supporting text should be updated to acknowledge that the specified tenure splits are a starting point and that up to date evidence on need and site specific constraints, as well as viability, can and should be matters to be taken into account at planning application stage for all major schemes, regardless of whether they are on greenfield or brownfield land.

Subject to justification and/or the amendments proposed above, Edenstone consider this draft Policy would be sound.

H7 Custom and Self-Build Housing

Edenstone support the Council's efforts to deliver a diversified range of housing, however, at present, they do not consider the draft Policy to be sound for the following reasons:

- As an overarching point, there is no justification provided for the requirement of 5% on sites of 20 dwellings or more. Justification should consider absolute need moving forward, but also take into account consented supply as well as realistic levels of demand for self-build plot purchase within larger "host" development sites.
- At a practical level, there remains a fundamental conflict between the characteristics that typically attract demand from custom / self-build purchasers and trying to accommodate such plots on a wider "host" development site:

- With the need for at least some design continuity between the “host” site and the self/custom build plots, this takes away the freedom within the self-build plots.
- That being the case, the developer would be able to achieve economies of scale and deliver the same product at a lower price than it would cost a self-builder to achieve a building of the same floorspace.
- Unless a self-build site can have its own separate access (which in most cases is unachievable and unviable), the contracting associated with multiple self-build units, on top of any contractors associated to the “host” site is a significant health and safety challenge.
- Edenstone’s position is that if there is demonstrable and viable demand for self and custom built plots, the delivery of these would be more appropriate on sites specifically allocated for self-build (i.e. not part of larger host developments), or on sites where an element of self/custom build is expressly supported by the land owner.

Given the extensive nature of the comments, Edenstone do not propose specific wording changes and urge the Council to consider substantive changes to this draft Policy prior to submission.

H14 Accessible Homes

Edenstone support the inclusion of a Policy relating to the need for accessible dwellings to meet need, however, they object to the draft Policy as currently worded as its requirements are not justified by evidence.

The Written Ministerial Statement of 25 March 2015, national Planning Practice Guidance (as at time of writing) and the National Planning Policy Framework (December 2024) are clear that optional standards, including adaptable and accessible dwellings, should make use of the Government’s optional technical standards “*where this would address an identified need for such properties*”. The test of “*need*” sets a high bar, which extends beyond the Council simply considering an increase to be desirable.

The Local Housing Needs Assessment (LHNA) (December 2024) contains an assessment of the potential need for adaptable and accessible dwellings. The evidence of need contained in Section 7 does not justify the draft Policy’s requirement for all market and affordable to be to at least M4(2) and 10% of affordable to be M4(3). To reiterate the above, any policy requirements must be justified by evidence.

In addition to the above, the draft Policy should also include recognition that notwithstanding targets, the application of this draft Policy can and must take account of site specific circumstances such as topography and the impact of installing lifts within apartment blocks. I.e. there may be circumstances where it is impractical, undesirable or impossible to meet target requirements, but that this should not render the development unacceptable.

In light of the comments above, Edenstone do not propose any specific rewording and urge the Council to revisit the evidence behind this proposed draft Policy.

H16 Residential Amenity and Healthy Homes

As noted in relation to some of the other policies of this Plan, Edenstone support the general principle of what this policy is seeking to achieve, however, it is far too unspecific to function effectively as a development management tool.

Notwithstanding the above, the draft Policy also seeks to apply Nationally Described Space Standards (NDSS). The NPPF (footnote 51) makes it clear that these should only be applied, “*where the need for an internal space standard can be justified*”. There is currently no such evidence available, therefore this requirement is unjustified.

This draft Policy should be removed in full to ensure soundness.

STC1 Sustainable Movement (Strategic Policy)

Please read in the context of comments above in response to draft Policy CC1 regarding pathway to net zero by 2030.

STC2 The Transport Hierarchy (Strategic Policy)

Please read in the context of comments above in response to draft Policy CC1 regarding pathway to net zero by 2030.

STC4 Supporting Public Transport (Strategic Policy)

Edenstone endorse the principle of supporting development that is well served by public transport, however, they object to this draft Policy as written for the following reasons.

Firstly, the draft Policy sets out a series of requirements for developments of one hundred homes or more. In relation to this paragraph:

- There does not appear to be any justification for why these requirements apply at a threshold of 100 dwellings.
- There is no consideration of the viability and/or feasibility of accommodating “*new local multimodal transport hubs and interchanges*”. Nor is there any provision for this not being required if similar facilities already exist or are deemed not necessary or desirable.

In the absence of justification, these requirements should be removed.

Secondly, the final paragraph states that “*Contributions will be sought toward new or improved public transport services and/or infrastructure in the city ...*”, which indicates that contributions will be sought from all developments. This fails to acknowledge:

- The need for any planning obligations to be meet the limitations set out in s122 of the Community Infrastructure Levy Regs; and
- The role of CIL in delivering strategic infrastructure, separate to s106 contributions.

This does not accord with legislation and must therefore be amended.

To positively remedy the issues raised above, the draft Policy wording should be amended as follows:

~~“Large scale development proposals of one hundred homes or more and major commercial development must:~~

- ~~a. Be located where high quality public transport is or can be provided through developer contributions;~~
- ~~b. Deliver appropriately located bus stops with raised kerbs for inclusive bus access, high quality shelters and real time information and, where appropriate, suitable routes for bus priority; and~~
- ~~c. Provide new local multi-modal transport hubs and interchanges making best use of existing bus, rail and walking and cycling routes.~~

Contributions, subject to meeting the tests set out in the Community Infrastructure Levy Regulations, and / or CIL may ~~will~~ be sought towards new or improved public transport services and/or infrastructure in the city, appropriately phased to provide high quality travel options early in the development balanced with efficiently supporting the long term future of the service.”

The changes proposed above would remedy the issues of legislative compliance and lack of justification, making the draft Policy sound.

STC9 Digital Communications (Strategic Policy)

Please read in the context of comments above in response to draft Policy CC1 regarding pathway to net zero by 2030.

NE3 Biodiversity (Strategic Policy)

Edenstone support the principle of enhancing biodiversity, however, as currently drafted this draft Policy does not appear to align with national policy, guidance and legislation on Biodiversity Net Gain. This is particularly important as the PPG is clear that there is no need for local planning policy to repeat national BNG requirements.

- This draft Policy must not deviate from the Environment Act's requirement for at least 10%.
- As is allowed for in the PPG, the draft Policy does not appropriately allow for BNG on large phased sites being considered as a whole, rather than 10% needing to be delivered in each phase.
- It is unclear whether the costs of BNG have been considered in full within the Council's viability evidence.

As a result of the above, we urge the Council to review this draft Policy prior to progressing. As such no specific edits are proposed here.

NE6 Urban Greening Factor

Edenstone support the principle of delivering soft landscaping and planting as part of development schemes and acknowledges the value of this across many different issues including biodiversity, climate change and townscape. However, as drafted this draft Policy is unsound as there does not appear to be any evidence available as to the impact that this will have on the delivery and viability of schemes.

The Urban Greening Factor (UGF) scores that the draft Policy requires development to meet will create pressure on the density of new developments and challenge how land is best used. Many groups have undertaken studies to explore the implementation on this and have noted that a major impact can occur on the amenity of new development when trying to address nature aims to meet UFG. Edenstone believe that the application of mandatory BNG, and existing criteria for new play and amenity space, already encourage the aims pursued by this policy and therefore the additional requirements of this draft Policy are not justified.

Furthermore, the standards being proposed by Exeter are more onerous than those that are contained with the London Plan and other south west authorities including Bristol City Council.

In addition to the above, the Viability Assessment does not attribute any costs associated to the application of this draft Policy over and above standard external works and BNG. This is entirely insufficient given onerous impact of this draft Policy's requirements.

In the absence of justification or viability testing, this draft Policy should be deleted in full.

C2 Development and Cultural Provision (Strategic Policy)

At present, the draft Policy states that *“All planning applications for large scale development proposals should be accompanied by a Cultural Plan ...”*.

Edenstone object to this draft Policy as written on the following grounds:

- Firstly, there is no definition of what “large scale” means. This is not effective enough for development management purposes.
- As written, this would apply equally to suburban greenfield sites allocated for purely housing, as well as major city centre mixed use schemes. Edenstone understand why it may be beneficial for city centre mixed use schemes to consider this, however, there is no justification or evidenced need for such a document on residential sites, particularly out of “civic” areas such as the City Centre.

Edenstone thus urge the Council to review this draft Policy to remove the requirement for this, at least on suburban residential sites.

HW1 Health and Wellbeing (Strategic Policy)

Edenstone support the principle of the delivery of infrastructure that encourages and enables people to live healthy lives.

Edenstone also have no objection to the requirement for Health Impact Assessments on large scale residential proposals, however, consider that two changes are required to make the draft Policy sound, effective and justified:

- *“Large scale residential development”* must be defined.
- It is well established from precedent decisions that it is the responsibility of the NHS to engage at plan making stage to ensure that appropriate provision is planned to meet the needs of forthcoming allocations. Therefore, the requirement for a Health Impact Assessment at application stage, as a means of determining any future contributions, should apply only to non-allocated developments, or those that are delivering a quantum over and above numbers anticipated at Plan making stage.

Incorporation of these amendments would make this draft Policy sound.

HW2 Environmental Quality, Pollution and Contaminated Land

Edenstone comment only to highlight a typo in the second paragraph. The text should read *“Development proposals will only be permitted where ... there would be ~~un~~acceptable impacts on: ...”*.

IF2 Viability (Strategic Policy)

Edenstone support inclusion of a policy relating to viability, however, they object to the current wording of Policy IF2.

Exeter Plan Publication Stage (Reg.19)

Representations on behalf of Edenstone Homes



The draft Policy proposes to limit the circumstances under which viability evidence as part of a planning application would be considered “*appropriate*”, and it also goes on to note that these circumstances must have arisen “*since the Exeter Plan’s adoption*”.

Firstly, this approach does not accord with the NPPF and PPG’s position on viability, which does not place any limit on the circumstances or timing for viability review.

Furthermore, the Council’s viability evidence underpinning this Plan does not include any site specific viability testing of allocations. Given that viability testing prior to adoption of the Plan will only ever be typology based, it is entirely unjustified for policy to assume that any individual site is viable at that point in time, as it does not take into account any site specific considerations.

Finally, the closing paragraph of the draft Policy proposes a three year review for any applications granted pursuant to a viability appraisal. Edenstone accept that a review mechanism is supported by the PPG, however they consider that the triggers for this review are more appropriately determined on a site specific basis, accounting for the degree of shortfall against policy expectations and the specific circumstances causing the impact on viability.

As a result of the comments above, the following changes are required to ensure compliance with national policy, guidance and soundness more generally. Subject to these changes, we consider that the draft Policy would be sound.

~~“To ensure that development provides the necessary policy requirements, affordable housing and infrastructure to create and maintain sustainable communities, deviation from policy on the grounds of viability will only be considered appropriate where one or more of the following have occurred to a significant degree following the adoption of the Exeter Plan:~~

- ~~a. Increases in infrastructure or abnormal development costs which could not reasonably have been foreseen at the time of the Exeter Plan’s adoption;~~
- ~~b. Adverse changes in building costs relative to sales values; and~~
- ~~c. Worsening of local market conditions caused by a recession or an extraordinary event demonstrably affecting incomes and development values.~~

~~A viability appraisal will need to be submitted explaining the circumstances which have led to the changes in viability since the Exeter Plan’s adoption.~~ Any variation from the proposed policy and affordable housing requirements, and deviation from the assumption that required infrastructure will be funded by development, will need to be justified robustly.

~~The City Council will recover from applicants their reasonable costs associated with an independent assessment of submitted viability appraisals where a deviation from policy requirements is sought. The submitted viability appraisal and the independent review will be published by the City Council with the planning application documentation.~~

~~Where policy compliant infrastructure requirements and/or contributions are not provided due to an agreed viability reason, the viability of the proposal will be reviewed every three years in accordance with triggers to be agreed at application stage, taking account of site specific circumstances~~ with the requirements of this policy ~~to seek to achieve full policy compliance in later development phases.”~~

IF4 Open Space, Play Areas, Allotments and Sport

Edenstone support the delivery of open space, play and sports facilities to support increases in population as a result of new development, subject to a demonstrable need and viability. However, there is one element of this policy, which is currently unsound and must be removed.

The second paragraph states that residential development proposals must provide or make contributions toward facilities in accordance with *“the relevant adopted Supplementary Planning Documents or their successors”*.

In practice, this requires development to accord with any and all as yet undefined, unevidenced and untested supplementary planning documents and guidance. This is policy via the backdoor.

Either the Council should remove this reference in full, or any standards that the Council will seek to apply should be included within the Policy itself, to enable proper consideration and viability testing.

END