

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

Job Title (where relevant)

Organisation (where relevant)

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

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

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 S1

Proposed Policy S1 sets the spatial strategy for the Exeter Vision 2040 and identifies 15 elements to delivering development in Exeter.

Element 1

Element 1 seeks to provide good quality homes of a variety of types in the City to meet Exeter's various needs.

This element seeks to ensure that the City's housing needs are met. Exeter's housing requirement is identified 642 new homes per year, and the Exeter Plan indicates it will deliver a supply of 13,975 homes (allowing for a headroom of 1,135 homes).

The adopted Core Strategy set a housing target of at least 12,000 dwellings between 2006 and 2026, equivalent to 600 homes per annum. At the time of the publication of Exeter's Annual Monitoring Report (March 2024 [See Authority Monitoring Report 2023-2024 here](#)), this was superseded by the standard method housing figure of 642 homes per annum for 2023/24. By March 2024, 8,689 homes had been delivered, equivalent to 483 homes per annum and representing a shortfall of 2,111 homes up to 2024. The headroom figure provided within the Exeter Plan (even if achieved in full) does not account for this shortfall.

Whilst Exeter may have passed the 2023 Housing Delivery Test with a result of 110%, this does not take account of the significant and persistent shortfall which has taken place over the current plan period 2006-2026.

As such the Exeter Plan cannot meet the housing needs of Exeter as it fails to make sufficient land available for new homes. Element 1 is therefore not achievable.

The allocation of land for housing must take into account the shortfall that has taken place historically over the current plan period and allocate sufficient land accordingly. If this cannot be allocated within Exeter's administrative area, neighbouring authorities must, under the Duty to Cooperate, allocate land to meet their needs and those of neighbouring authorities.

Element 2

Element 2 seeks to work with neighbouring Councils to ensure that the employment needs of the wider functional economic area are met.

Para. 7.6 of the Exeter Plan states that *'the partner authorities (the City Council, East Devon, Mid Devon and Teignbridge District Councils and Devon County Council) are committed to continuing to work together, in accordance with the duty to cooperate, to address any shortfall in employment land to ensure the continued economic success of the wider area.'*

However, EDDC propose to object to the Exeter Plan as set out in a report to the EDDC Strategic Planning Committee on the 4th February 2025 ([See EDDC Report SPC here](#)). The objection is on the basis that it fails to make available sufficient land for employment provision. EDDC Officer's recommended response recognises that the Exeter Plan does not refer to the Exeter specific employment land requirement nor how the Exeter Plan has addressed this need. It notes that the Exeter Plan fails to state that it will meet an Exeter quantified need and that *'no request has been made under the duty to co-operate for East Devon District Council to assist in meeting the employment land need identified in the EDNA. The land identified in the emerging East Devon Local Plan 2020-2042 is considered to be necessary to meet the needs of East Devon and does not seek to address wider needs.'*

Whilst not explicit in the Exeter Plan, as suggested by EDDC, the Exeter Plan appears to rely on the collective land supply for employment across the sub-region, without formal request under the duty to co-operate. ECC (and arguably other authorities in the sub-region) are failing in their duty to cooperate and this must be addressed for the Exeter Plan to be found sound.

Element 3

Element 3 seeks to enable traditional and new forms of employment provision in the City, developing the transformational sectors and supporting improvements to education and skills to ensure employment needs are met.

This element seeks to ensure that the City's employment needs are met. The EDNA (2023) notes that Exeter is the main office location in Greater Exeter, but that it has insufficient employment land to meet the forecast demand for both offices and industrial development between 2020-2040. The EDNA suggests demand for 21ha (middle range) of office land versus 4ha of supply and 50ha (middle range) of industrial land versus a supply of 7ha.

The Exeter Plan allocates only 3 sites for transformational employment uses amounting to 15.5ha and only two of the five strategic residential-led mixed use allocations include a requirement for new employment provision. Further, despite the omission of North Gate and high performing employment land at Marsh Barton as formal residential-led allocations, their identification as regeneration opportunity areas has the potential to result in a net loss of employment land in Exeter, further

worsening the employment land supply shortage. Worryingly, despite the well documented demand for industrial development, neither plan policies nor allocations explicitly encourage, support or allocate land for new industrial development.

As such the Exeter Plan cannot meet the employment needs of Exeter as it fails to make available sufficient land for employment provision, particularly for industrial uses. Element 3 is therefore not achievable.

Element 4

Element 4 seeks to focus the majority of development on strategic brown sites. This is reflected in policy H2 allocations, where the delivery of new homes is focused on brownfield sites.

Whilst a laudable aspiration, recent planning decisions demonstrate that the viability of brownfield redevelopment is fragile and as such a plan which seeks to deliver the vast majority of the City's housing requirement on brownfield land is likely to fail as meeting the housing needs of the City.

Proposed allocation SBA1 Water Lane includes 1,861 new homes and 980 of these homes are subject to planning application reference 23/1007/OUT. 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.

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 Viability Plan here](#)

Application reference 23/1007/OUT Water Lane (South) demonstrates that brownfield sites cannot be a reliable source of housing delivery to meet Exeter's housing needs.

As set out in our previous representations, whilst brownfield redevelopment is a cornerstone of sustainable development and is an admirable aim that our client fully supports, viably delivering the vast

majority of housing required in the plan period largely on brownfield land in a city, would stifle development, and worsen the documented undersupply of housing in the sub region.

It is reasonable to conclude that greenfield land will need to be released to supplement brownfield land allocations to meet housing need, taking account of the historic shortfall that has taken place over the current plan period. If sufficient land to meet housing need cannot be allocated within Exeter's administrative area, neighbouring authorities must, under the Duty to Cooperate, allocate land to meet their needs and those of neighbouring authorities.

Element 6

Element 6 seeks to consider modest greenfield development as a supplement to the overall focus of brownfield sites.

As above, it is agreed that greenfield development is required to meet Exeter's housing need. However, the extent of greenfield allocations included within the Exeter Plan is not sufficient to supplement brownfield allocations and meet Exeter's housing need. If sufficient land to meet housing need cannot be allocated within Exeter's administrative area, neighbouring authorities must, under the Duty to Cooperate, allocate land to meet their needs and those of neighbouring authorities.

Element 9

Element 9 seeks to protect and enhance the landscape value of sensitive hills which provide the setting to the City.

The Exeter Plan does not allocate sufficient land to meet the housing and employment needs of Exeter. Therefore land must not be arbitrarily protected, all sustainable and deliverable land must be considered for development to ensure the development needs of Exeter can be met.

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 and employment 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) needs 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 shortfall in housing and employment 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. Consideration should be given to suitable greenfield sites.

Our Client's land is suitable and available to meet Exeter's (and East Devon's) 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.

Para. 7.6 of the Exeter Plan states that *'the partner authorities (the City Council, East Devon, Mid Devon and Teignbridge District Councils and Devon County Council) are committed to continuing to work together, in accordance with the duty to cooperate, to address any shortfall in employment land to ensure the continued economic success of the wider area'*.

However, EDDC propose to object to the Exeter Plan as set out in a report to the EDDC Strategic Planning Committee on the 4th February 2025 ([See EDDC Report SPC here](#)). The objection is on the basis that it fails to make available sufficient land for employment provision. EDDC Officer's recommended response recognises that the Exeter Plan does not refer to the Exeter specific employment land requirement nor how the Exeter Plan has addressed this need. It notes that the Exeter Plan fails to state that it will meet an Exeter quantified need and that *'no request has been made under the duty to co-operate for East Devon District Council to assist in meeting the employment land need identified in the EDNA. The land identified in the emerging East Devon Local Plan 2020-2042 is considered to be necessary to meet the needs of East Devon and does not seek to address wider needs.'*

Whilst not explicit in the Exeter Plan, as suggested by EDDC, the Exeter Plan appears to rely on the collective land supply for employment across the sub-region, without formal request under the duty to

co-operate. ECC (and arguably other authorities in the sub-region) are failing in their duty to cooperate and this must be addressed for the Exeter Plan to be found sound.

Further, ECC is not meeting its historic shortfall within its housing allocations and has not made a formal request to neighbouring authorities to assist in meeting this shortfall under the duty to cooperate. ECC (and arguably other authorities in the sub-region) are failing in their duty to cooperate and this must be addressed for the Exeter Plan to be found sound.

Our Client's land, whilst located in East Devon, is suitable and available to meet Exeter's (and East Devon's) 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



