

Report to: **Strategic Planning Committee**

Date of Meeting: 4 February 2025

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Exemption applied: None

Review date for release N/A



Exeter local plan – Regulation 19 consultation – Proposed response from East Devon District Council

Report summary:

The Exeter Local Plan has reached the Regulation 19 stage of public consultation. The closing date for comments is 6 February 2025. This report sets out summary information about the plan contents and provides a suggested response to the consultation from this council that raises objection to their plan in respect of failing to provide sufficient and appropriate levels of employment land and how the plan seeks to address delivery of infrastructure to serve sites north of Topsham.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That Strategic Planning Committee, whilst welcoming the Exeter plan and noting the general high quality of content, raise objection, as set out in this committee report, to fail to make available sufficient land for employment provision and secure delivery of the proposed Topsham Infrastructure Delivery Framework.

Reason for recommendation:

To ensure the Council has opportunity to express its views in respect of provision of employment land, and any other matters, as set out in the consultation on the Exeter local plan.

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Portfolio(s) (check which apply):

- ☒ Climate Action and Emergency Response
- ☒ Coast, Country and Environment
- ☐ Council and Corporate Co-ordination
- ☐ Democracy, Transparency and Communications
- ☐ Economy and Assets
- ☐ Finance

- ☒ Strategic Planning
- ☒ Sustainable Homes and Communities
- ☒ Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information

Links to background documents are contained in the body of this report.

Link to Council Plan

Priorities (check which apply)

- ☒ Better homes and communities for all
 - ☒ A greener East Devon
 - ☒ A resilient economy
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1. Introduction

- 1.1 The Exeter City Council local plan (titled - The Exeter Plan) is now at the Regulation 19 stage of consultation - see [exeter-plan-publication-plan-regulation-19.pdf](#). Consultation closes on 6 February 2025 by which date all comments must be received. Any comments agreed by this committee will need to be submitted, therefore, within two days of this committee meeting.

- 1.2 The opening paragraphs of the Exeter Plan succinctly and clearly set out its role:

“1.1 The Exeter Plan will shape the future of Exeter for the next twenty years up to 2041 and will be the basis for how the city continues to evolve and meet the needs of the community.

1.2 The Exeter Plan is the Local Plan for Exeter. It will be the main planning policy document for the city, setting out where development should take place and providing the policies which will be used in making decisions on planning applications.”

- 1.3 The Exeter plan, by starting the Regulation 19 stage of consultation before Christmas is now running marginally ahead of the East Devon Local Plan. Whilst, on a general level, it is a very good plan the officer recommendation there are concerns about the inadequate provision of employment land in the plan.

2 Format and approach in the Exeter plan

- 2.1 The Exeter Plan is a comprehensive local plan covering all matters that fall to the City Council in respect of their responsibilities in determining planning applications within the city boundary. The plan is well written, coherent and sets out a positive

agenda and vision for development of and within the city and it sets this within a wider perspective of city council corporate objectives.

- 2.2 In structural terms the city plan is quite conventional in respect of ordering and in respect of subjects and policy matters, much as the East Devon Local Plan is. It has broad chapter headings, such as 'Climate change', 'Homes' and 'Economy and jobs' with subject relevant plan policies falling under these.
- 2.3 Being an immediate neighbour of East Devon there are very clear interactions between the city and its plan and East Devon and our plan. There has been ongoing work and dialogue with the city council officers as their plan has progressed and more critically we share many evidence documents and joint working approaches with the City Council, and in this respect also with Teignbridge District Council and Mid Devon District Council, which form Exeter's other neighbouring local authorities (the latter does not actually abut the city but is very close).
- 2.4 By way of context setting the Teignbridge Local Plan is currently at Examination and oral hearing sessions have concluded. Teignbridge council have received positive written feedback from their planning inspectors (they have two rather than one - this is now quite common) and subject to some work on specific points raised, and consultation on main modifications, they are likely to be adopting their plan in the months ahead. Mid Devon District Council have a quite recently adopted local plan and the Council are not as far advanced as us and Exeter in new plan production (given proposals for creation of a new unitary authority or authorities it is not known if they will proceed with new a plan as a District Council).
- 2.5 The city has relatively tightly constrained boundaries and is a dynamic area and attractive location in which to live and work. This invariably places pressure for growth beyond city boundaries. Land on the western side of East Devon, in particular, has seen significant 21st century development that in part has resulted from and is related to wider Exeter sub-regional pressure and demand for development. The pressures on East Devon are greater than those on neighbouring Teignbridge and Mid Devon. The city also forms a focal point for many higher-level services and facilities, such as many jobs, a major hospital, professional sporting venues, large city shops and recreation facilities. This invariably leads to the flow of people, traffic and public transport across and into the city from adjoining areas. Such cross-boundary considerations, amongst other matters, illustrate the issue of inter-connectivity and major associated considerations that specifically include transportation matters and movements of people and goods. They also work the other way with some city residents commuting out to work and, amongst other matters, many enjoy the coastline and stunning environments found in East Devon and elsewhere beyond city boundaries.

3 A concentration on brown field development and urban regeneration

- 3.1 Although Exeter is a comparatively prosperous city, and is not awash with brown field land, there is quite an emphasis on urban regeneration in the city plan with an onus on the reuse of previously developed land and more intensive use of sites that are currently in use, but which may be seen as being under-used.

- 3.2 The city plan sets out mixed use regeneration proposals, in particular, for a number of larger scale redevelopment proposals, some explicitly set out in policy and others (such as for parts of Marsh Barton) more aspirational and of possible potential for the longer term. In respect of Marsh Barton it is relevant to note that in earlier iterations of the plan there was a greater policy expectation for regeneration and new development, in part this may have resulted in loss or displacement of some business and jobs. But the plan is now less explicit on this happening and puts any such works into the longer term.

4 Housing development

- 4.1 The plan advises of accommodating delivery of 13,975 homes across the life of the plan, 2021 to 2041, this averages out at 699 homes per year. The new December 2024 Standard Method housing number for Exeter is 800 new homes per year, but as with East Devon, the plan is progressing under transitional arrangements ahead of a new plan making regime being introduced. Their plan, therefore, can progress on the basis of providing (at least) 80% of the 800 number which generates a figure of at least 640. The Exeter plan is therefore planning to accommodate a level of housing provision that exceeds a calculated need with a healthy 9.18% 'headroom' figure. This headroom is appropriate as it gives flexibility around possible non-delivery of some provision against need. The city plan meeting full city housing needs is to be welcomed.

5 Employment land provision

- 5.1 The city plan (see para 7.1 onward) does not talk about an Exeter specific employment land requirement and how the Exeter Plan addresses this quantified need. More precisely the Exeter Plan fails to state that it will meet an Exeter quantified need and given this failure (noting potential impacts on East Devon) the recommendation to committee is that our council raise objection to the plan. See boxed text further on in this section of this report.
- 5.2 What the Exeter Plan does do (para 7.3 onward) is present the city as part of a wider 'Functional Economic Market Area' and talks about land supply across this wider area (the local authorities of Exeter, East Devon, Teignbridge and Mid Devon) and how there is a collective need, across local authority areas, and how collectively this need will be met.
- 5.3 Notwithstanding the collective need/supply position set out in the Exeter local plan the City Council were part of a partnership (made up of city and East Devon, Teignbridge and Mid Devon District Councils) that commissioned consultants Hardisty Jones to produce an Economic Development Needs Assessment (EDNA). This report had local authority area specific data within it. On the city council web site see - [Microsoft Word - Greater Exeter EDNA HJA Final Report v2.1.docx](#)
- 5.4 The Hardisty Jones work, for each authority, sets out a range of alternative growth scenarios, but using a mid/higher level growth position (under what is termed the 'Clean Growth' scenario) it sets out in Appendix 2 (para 10.2.2 onward) and specifically Figures 10.9 and 10.10 land requirement for 2020 to 2040 for the city of:
- 10 to 26 hectares for offices (see Figure 10.9); and

- 46 to 53 hectares for industrial (see Figure 10.10).

- 5.5 Taking the mid-point for each of the above gives a total requirement figure of around 68 hectares. In their local plan the City Council are allocating 3 sites for 'transformational' employment uses, totalling 15.5 hectares. Additional provision (an unspecified amount) is to be provided through windfalls, and on the mixed-use brownfield sites and, potentially, on the existing service station site, if a better alternative can be provided outside Exeter. However, the mixed-use brownfield sites are intended to be predominantly residential and so the employment land provision will be limited and given that these sites include parts of Marsh Barton that are currently in employment use there is potentially a significant net loss of employment spaces on this site. Based on previous work it seems unlikely that a suitable service station site outside the city will be found.
- 5.6 We have not been able to find precise data and information to undertake a full breakdown of quantified projected employment land supply in the city but the above supply sources, compared against EDNA need, indicates a substantive shortfall in employment land provision.
- 5.7 It is highlighted that on the same comparative basis Teignbridge, through their local plan, are making land provision that is a little above their reported EDNA need, 65 hectares against a need of 62 hectares. Comparative supply data for Mid Devon, as the Council is not as far advanced in plan making is not available, but the EDNA shows a need (calculated on the same basis) for around 51 hectares. For East Devon our new local plan makes provision that is some way in excess of EDNA generated need requirements, 80 hectares of need with provision from all sources calculated at 178 hectares. This takes account of past under provision of employment land, current unmet demand and the need to ensure that the new community is a sustainable and self-contained town with minimal out-commuting. The proposed sites in excess of the EDNA requirement for East Devon is not intended to meet unmet requirements in Exeter and the city council has not sought provision in East Devon under the duty to co-operate to address any shortfall within the city.
- 5.8 Across the four authorities, taken as a whole, there is therefore a collective land supply (notwithstanding some lack of full clarity over numbers) that exceeds quantified need and this is the case that the city set out in their local plan. However, assuming committee are not content that a cross-boundary collective need and supply approach is appropriate there is a strong basis that could be used to raise objection to the Exeter plan.
- 5.9 Assuming objection is deemed appropriate then the proposed objection wording as set out in the boxed text below is highlighted.

Proposed objection wording

Employment Land Provision

East Devon District Council object to chapter 7, Economy and Jobs, of the Exeter local plan as it fails to allocate or otherwise make sufficient land available to accommodate future employment needs of the city. The City Council should respond to the evidence set out in the Greater Exeter Economic Development Needs Assessment - [Microsoft Word - Greater Exeter EDNA HJA Final Report v2.1.docx](#) (on the City Council website) and plan to meet quantified employment land needs, in the city, as set out in Appendix 2 of this report - a mid-point on the Clean Growth need scenario being an appropriate level to plan for.

From assessment of available data, noting full quantified data on all sources of supply is not specifically summarised, the Exeter Plan falls (appears to fall) a significant way short of meeting city needs. The proposed regeneration opportunity area also has significant potential to lead to a net loss of employment spaces in this part of the city. Whilst noting that the plan does reference a collective across local authority balance (in the Exeter Functional Economic Market Area) between employment land need and supply it is not considered that such an approach to need/provision is an appropriate means to plan for defined city generated needs.

The approach adopted by the City Council, in not planning to meet city needs, generates the following failings:

- a) The plan will not be meeting the needs of the city.
- b) Lack of provision will undermine the economic growth potential of the city and the stimulus it provides for the wider area. Failure to provide undermines future economic success.
- c) Failure to make sufficient provision will lead to pressure to accommodate city generated growth to locations outside of the city boundary. Amongst other matters this will lead to greater outward commuting and pressure on transport infrastructure.

The City Council's approach appears to rely on employment land provision outside of the city boundary but within the wider Functional Economic Market Area in order to meet the economic needs of the area. However, no request has been made under the duty to co-operate for East Devon District Council to assist in meeting the employment land needs identified by 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.

Suggested modifications to the plan

To overcome and address the concerns raised by East Devon District Council the Exeter Plan should explicitly quantify, citing appropriate evidence, city employment land needs and also all sources of supply, specifically including land allocations in the plan. Any shortfalls in land provision arising between this supply and need

assessment should be addressed through additional provision, specifically land allocations for development, in the Exeter plan. This would draw the plan into alignment with tests set out in national planning policy.

To achieve the outcome the city council may need to identify additional land to allocate, review or amend allocations of land for other uses or in other ways adjust plan policy. It is appreciated that this may involve some challenging decisions, for example in respect of building on green fields sites. It is noted, however, that there are not the national landscape designations in the city that fall on land outside of city boundaries.

- 5.10 If we make this (or a variation on this) objection, the city council could choose to do a redrafted plan and reconsult (this applies to any representation they may receive). Far more likely, however, is that they will submit the plan for examination as drafted and this objection and all others would be submitted with the plan.
- 5.11 At submission a planning inspector will consider objections made and if felt to raise matters of significant enough relevance, specifically around matters of compliance with legal requirements or plan soundness, the plan inspector will seek views from the city council on the approach taken, whilst also allowing for anyone making objection to elaborate on the matters they raise.
- 5.12 Without pre-empting a possible city council response it would appear quite likely (if not very probable) that they would present a case to their inspector that their approach is reasonable, appropriate and sound. The city council will have drafted their plan in the knowledge of the employment supply and need numbers and would have applied a cross-boundary position by clear intent and design. They will have also done so on their understanding of land availability and their critique of suitability for development. This is not to say that they are either right or wrong, but it is reasonable to assume it will be part of their case.
- 5.13 Furthermore, the executive summary to the EDNA states *“East Devon should also consider how to accommodate some of the forecast future demand driven by the economy of the City of Exeter, which may require further site allocations.”*
- 5.14 In conclusions the EDNA also states that *“... economic and employment growth generated by the City of Exeter cannot be met within its own boundaries, so sites in East Devon should help to meet this growth potential. And also it advises “The City of Exeter has significant economic and employment growth potential, but it cannot all be accommodated within the city, given the constrained supply of employment land, and little scope for new potential employment sites. The Liveable Exeter initiative also seeks to redevelop some employment areas for mixed-use residential and employment uses. Some of the future economic growth stimulated by the City of Exeter will need to be accommodated in its hinterland in adjoining local authority areas, which is functionally part of the city. Future employment growth in areas adjoining the City of Exeter (the city fringe) could reduce levels of commuting into Exeter itself.”*

- 5.15 It needs to be stressed that the EDNA does not write or establish plan policy, that is for the local planning authorities to do, but it does express the authors opinions on matters.
- 5.16 If we don't object (or the plan is not changed, for example an inspector agrees with the City Council) the result is likely to be more pressure for employment development in East Devon. Noting that we may, in some respects, be happy to accommodate at least some of it. There may be positive financial income reasons for doing so and, especially if high quality jobs are secured, some additional kudos in accommodating those jobs and the potential and opportunities they may offer for East Devon residents.
- 5.17 It is not suggested that there are other matters in the city plan that East Devon District Council would wish to object to, though we touch on some further points of interest below.

6 Motorway service

- 6.1 In policy STC8 the city council set out that should the existing motorway service station be relocated then it could free up the use of the land for a new employment use. Whilst possible motorway service station relocation has been discussed for some time there are no agreed proposals for this to happen and no authority (that specifically includes East Devon District Council) has allocated land for this to happen. Furthermore relocation and implementation from a technical highway perspective would be very challenging and expensive and also there would be complex legal matters to address and overcome.
- 6.2 It would be reasonable to progress on the basis that relocation will not happen, despite some possible potential benefits, for at least the foreseeable future.

7 Joint infrastructure matters and planning

- 7.1 Whilst we do not set out any details here the successful implementation of the Exeter plan, as well as ours, and those of other neighbours, will depend on joint working and collaboration and coordination of efforts and some expenditure. There are some initiatives we, and the city, are promoting with direct cross boundary relationships, for example our proposed allocation of land north of Topsham for development. There are many cases, as well where we will need to take coordinated infrastructure delivery approaches. Specifically, these will include in respect of transportation and highway matters.
- 7.2 Members will recall that when considering the allocations of sites north of Topsham and accessed off Clyst Road, consideration was given to the relationship with 4 sites being allocated in the Exeter Local Plan and nearby sites already consented by Exeter. It was felt that the sites on both sides of the administrative boundary should come forward in a co-ordinated way to ensure that infrastructure is delivered in a co-ordinated way. The Exeter Plan includes reference at Policy TI1 to production of an Infrastructure Delivery Framework to address this but does not go as far as requiring a joint masterplan for the sites. More fundamentally it does not

seek to control the delivery of the sites and ensure that they come forward only in accordance with the agreed Infrastructure Delivery Framework and so there would be nothing to prevent them coming forward ahead of this work being completed or subsequently without complying with it. The consequence of this is that the opportunity to deliver necessary infrastructure on the sites would be lost and the opportunity to secure Section 106 contributions towards the delivery of infrastructure identified through this work would also be lost.

- 7.3 This issue could easily be overcome through some additional wording to the policy, however at the Regulation 19 stage of plan production consultation is essentially on behalf of the inspector and so to ensure that this issue is given due consideration and can be heard at the examination of the plan, if necessary, it would be appropriate to formally object with the following wording suggested:

Proposed objection wording

Policy TI1 – Topsham Infrastructure Delivery Framework

The co-ordinated approach to the delivery of infrastructure on sites north of Topsham within the city and within East Devon District under Policy TI1 is welcomed, however the wording of this policy does not prevent the development of the allocated sites within the city from coming forward ahead of production of the envisaged Infrastructure Delivery Framework or require them to only come forward in accordance with an agreed framework.

Suggested modifications to the plan

To address this concern the City Council should add the following wording (or similar) to Policy TI1:

“Development of allocation sites ref: 90, 91, 94, 153, shall only be permitted where in accordance with the formally agreed Infrastructure Delivery Framework”.

If the City Council is in agreement then wording could be agreed through a statement of common ground and this change recommended to the examination.

Financial implications:

There are no direct financial implications identified in this report.

Legal implications:

There are no direct legal implications identified in this report (002533/4 February 2025/DH).