STOP EXMO20 · EVIDENCE PACK · NOVEMBER 2026

# EXMO20: the evidence

The case against allocation EXMO20 (about 700 homes on land at St John's, Exmouth, next to the Pebblebed Heaths) in the East Devon Local Plan, set out in the words of the council's own recorded meetings and published documents.


1. The case: nine grounds
2. The evidence
3. Their arguments, our answers


Every meeting quote links to the moment in the council's YouTube recording; every document quote links to the document. The quotes come from machine transcripts, so please play the clip to hear the exact words. This pack is not legal advice. The latest version, the full transcripts and the meeting-by-meeting findings are at www.stopexmo20.co.uk. Contact: contact@stopexmo20.co.uk.

# Part 1. The case: nine grounds

## 1 Habitats Regulations: harm to the Pebblebed Heaths has not yet been ruled out

**The facts.** A local plan can only be adopted if an appropriate assessment under the Habitats Regulations 2017 concludes it will not adversely affect the integrity of protected sites such as the Pebblebed Heaths. At that appropriate-assessment stage, the council's own Habitats Regulations Assessment (November 2025) says there is "not yet sufficient certainty to rule out adverse effects on integrity" from air quality on the Heaths. Officers have said that removing specific sites could bring impacts below Natural England's thresholds; the minutes of 22 September 2026 record that this "could theoretically be assessed", but that the focus was on understanding impacts as a whole.

**Our view.** National policy and good practice favour avoiding harm first and relying on mitigation only where avoidance isn't possible; the Habitats Regulations also require alternatives to be considered before a plan that could harm a protected site is approved on public-interest grounds. Removing EXMO20, whose traffic would use the B3179 beside the Heaths, is an avoidance option that should be tested before the plan relies on mitigation that has not yet been secured.

What was said:

> *"…I had hoped that we would have that completely addressed by now and would be able to rule out significant effects on the Pebblebed Heaths in terms of air quality issues unfortunately that isn't the case…"*
>
> Ed Freeman, 25 November 2025, 00:17:37 · play the clip ▶ · about this meeting

> *"…the mitigation measures will not have to be as unachievable, shall we say…"*
>
> Ed Freeman, 3 March 2026, 00:44:10 · play the clip ▶ · about this meeting

> *"we should be trying to avoid the impacts on the habitat first of all…"*
>
> Ed Freeman, 22 September 2026, 01:52:31 · play the clip ▶ · about this meeting

> *"…specific sites where if they were removed the impacts would come below the thresholds that Natural England guidance suggests is acceptable…"*
>
> Ed Freeman, 22 September 2026, 03:11:05 · play the clip ▶ · about this meeting

## 2 Not "justified": EXMO20 failed the council's own assessment and

## was added before the evidence

**The facts.** EXMO20 failed the council's HELAA site assessment (the council's own minutes use those words), was consulted on as a "rejected" site in 2022, and the officers' report of August 2024 recommended "No" to allocating the whole site. Members allocated it on 3 September 2024, when officers said further work would be needed first; the work on access came after that vote. The council says the later work showed the access problem could be addressed.

**Our view.** Failing the HELAA doesn't by itself stop a site ever being allocated. But a sound plan needs a strategy based on proportionate evidence, and here the decision came before the evidence rather than following from it.

What was said:

> *"the allocated site failed the first HELAA assessment."*
>
> Ed Freeman, 14 July 2026, 00:41:25 · play the clip ▶ · about this meeting

> *"...it was at that time a rejected site based on officers' assessments..."*
>
> Ed Freeman, 19 May 2025, 02:33:47 · play the clip ▶ · about this meeting

> *"...some further work would need to be done before we could put it in as a concrete fixed allocations..."*
>
> Ed Freeman, 3 September 2024, 00:12:58 · play the clip ▶ · about this meeting

> *"...following members favorable consideration of the site at that meeting officers further explored the site access arrangements..."*
>
> Ed Freeman, 14 July 2026, 00:21:11 · play the clip ▶ · about this meeting

## 3 Reasonable alternatives: replacements for EXMO20 were only looked at in Exmouth

**The facts.** Plans must consider reasonable alternatives (the Environmental Assessment of Plans and Programmes Regulations 2004, and the soundness tests). In October 2024 officers warned of risks to soundness if all reasonable alternatives weren't considered, and members were told there was no housing target set for Exmouth. In September 2025, the replacement figures officers gave members for EXMO20 were based on other Exmouth sites. Officers also said other new-community proposals conflicted with the agreed strategy and would not add deliverable homes.

**Our view.** If Exmouth has no target of its own, replacements for EXMO20 should be tested across the district, not only within Exmouth. We have not seen an assessment that does that.

What was said:

> *"...there are risks to the soundness of the plan if we don't consider all reasonable alternatives..."*
>
> Ed Freeman, 29 October 2024, 01:36:23 · play the clip ▶ · about this meeting

> *"There was no target set for Exmouth..."*
>
> Cllr Olive (Chair), 29 October 2024, 02:46:08 · play the clip ▶ · about this meeting

> *"...if you included all the other rejected sites in exmo in place of **EXMO20** you wouldn't make up 700"*
>
> Ed Freeman, 2 September 2025, 00:46:38 · play the clip ▶ · about this meeting

## 4 Not "effective": a workable access route and the sewage evidence have not yet been shown

**The facts.** An allocation must be deliverable. In September 2025 an officer said "we don't know where the access road would come in from from the B3179", and the road would have to cross the 400 m protection zone around the Heaths. The draft policy also allows "modest levels of development" in the southern parts of the site to be reached from Southern Wood, a residential street on the site's southern edge (policy SD01, November 2025, p.88); in September 2026 an officer confirmed that "the draft local plan continues to allow for modest levels of development to be accessed this way". "Modest" is not defined. On sewage, the November 2025 Water Cycle Study says Maer Lane treatment works has capacity, and South West Water has said there is headroom until upgrades due in 2028. But in March 2026 an officer said the consultants did not have data on Maer Lane's biological treatment capacity and used records of sewage spills instead, and the Environment Agency says the study does not yet show the planned growth can be delivered sustainably. The study is being re-modelled. In 2024 officers' own test for other sites was that access should be shown before allocating.

**Our view.** Access is not shown to be impossible, and sewage capacity is not shown to be inadequate. But neither has yet been demonstrated, and a plan should not allocate a site on the hope that both will be solved later.

What was said:

> *"...we don't know where the access road would come in from from the B3179..."*
>
> Ed Freeman, 2 September 2025, 01:46:35 · play the clip ▶ · about this meeting

> *"...if you take that 400 meter zone out of the allocation then there's no access to that site..."*
>
> Ed Freeman, 25 November 2025, 00:56:50 · play the clip ▶ · about this meeting

> *"...they were quite clear that they just don't have the data..."*
>
> Ed Freeman, 3 March 2026, 01:55:13 · play the clip ▶ · about this meeting

> *"...All we need from them at this stage is to be satisfied that an access can be obtained..."*
>
> Ed Freeman, 29 October 2024, 01:27:08 · play the clip ▶ · about this meeting

## 5 Heritage: harm to the setting of a grade II* listed church

**The facts.** The church of St John in the Wilderness is listed grade II*, the second-highest grade, and in an officer's words lies "at the heart of the site". Historic England, the government's heritage adviser, marked EXMO20 "Unsound" in both consultations. In March 2025 it said development "could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance", and warned that the long access road from the B3179 "could itself result in significant harm to the setting". In January 2026 it said the council's heritage assessment "does not represent a robust assessment" of the harm, "critically failing to consider impact on tranquillity", and suggested restricting development to the southern part of the site. Devon County Council has asked for a full heritage and archaeological assessment, citing prehistoric finds on the higher ground to the north. The council says its heritage analysis shows the site can take the planned homes while respecting its most sensitive parts.

**Our view.** National policy gives great weight to conserving heritage assets of the highest significance, and says any harm to them needs clear and convincing justification. Historic England has not withdrawn its objection, and the detailed heritage assessment it asks for has been left to a future planning application.

Sources: Historic England, letters of 30 March 2025 (document) and 23 January 2026 (document); Devon County Council, letter of 22 January 2026 (document, p.14). More on the evidence page.

What was said:

> *"this is obviously a more significant concern and we've done a lot of detailed work in terms of considering the impact on the heritage assets particularly **St John in the Wilderness** Church which is a Grade II star-listed building that lies sort of at the heart of the site."*
>
> Ed Freeman (officer), 2 September 2025, 00:57:23 · play the clip ▶ · about this meeting

> *"Obviously we need to consider the the church, **St John's** in the wilderness which needs to be a major consideration to the planning which might reduce the number of houses"*
>
> Cllr Jung, seconding the allocation, 3 September 2024, 00:09:52 · play the clip ▶ · about this meeting

> *"analysis demonstrates that the site can accommodate the level of growth allocated as things stand within the the plan and obviously respect those more sensitive parts of the site"*
>
> Ed Freeman (officer), 2 September 2025, giving the council's view, 00:58:12 · play the clip ▶ · about this meeting

## 6 Housing numbers: the plan met its requirement without the full 700-home allocation

**The facts.** On 3 September 2024 officers told members that the sites they had recommended gave a headroom of 1.2% (253 homes) above the housing requirement. Those recommendations included only a 150-home southern part of the site (Exmo_20b), not the whole 700-home allocation. The shortfall was against the 10% headroom officers aim for, which they described as standard practice; it is not a legal requirement. In September 2025 the requirement fell by 563 homes, which officers advised keeping as extra headroom. The council says its plan is already below the government's full standard-method figure and its five-year land supply is 3.16 years, and that this supports keeping its allocations.

**Our view.** Whether EXMO20 is needed is a judgement about how much headroom to keep, not a fixed requirement, and that judgement should weigh the evidence on the Heaths, access and sewage.

What was said:

> *"...we only have a headroom position of 1.2 or 253 dwellings"*
>
> Ed Freeman, 3 September 2024, 00:13:35 · play the clip ▶ · about this meeting

> *"...that's that's that's up to members really"*
>
> Ed Freeman, 3 September 2024, 00:19:19 · play the clip ▶ · about this meeting

> *"...equates to a fall of 563 homes..."*
>
> Ed Freeman, 2 September 2025, 00:33:52 · play the clip ▶ · about this meeting

> *"...the 20% buffer doesn't increase the housing number that we have to plan for in the Local Plan..."*
>
> Cllr Olive, Full Council 14 October 2026, 00:53:58 · play the clip ▶ · about this meeting

## 7 "Significant change": we have found no published definition

**The facts.** Keeping EXMO20 has been justified on the basis that removing it would be a "significant change" to the plan. In July 2025 an officer said taking out a small site "doesn't represent a massive problem because we gave ourselves headroom", In September 2025, on a change on the scale of EXMO20, an officer said

“that's the kind of scale … where i think we really have a problem”, adding “i'm not saying you can't do it i'm just advising you of the consequences”. In September 2026 an officer said “The removal of any allocation is likely to be a significant change”.

**Our view.** We have not found a definition or threshold for “significant change” in the council's committee papers or in the published guidance we have checked, and the council has not said why removing EXMO20 would cross it. We are asking the council for its definition (our questions).

What was said:

> *“…if we were taking out say a a site of only 10 houses in terms of the housing numbers it doesn't represent a massive problem because we gave ourselves headroom…”*
>
> Ed Freeman, 8 July 2025, 02:16:43 · play the clip ▶ · about this meeting

> *“that's the kind of scale I think in terms of changes where I think we really have a problem I'm not saying you can't do it I'm just advising you of the consequences potentially of doing it”*
>
> Ed Freeman, 2 September 2025, 00:46:50 · play the clip ▶ · about this meeting

> *“…The removal of any allocation is likely to be a significant change…”*
>
> Ed Freeman, 22 September 2026, 00:49:24 · play the clip ▶ · about this meeting

## 8 How the evidence and the consultation were handled

**The facts.** The Regulation 19 plan went out for consultation while officers knew the Water Cycle Study and the Habitats Regulations Assessment needed further work. Responses were summarised with AI, which an officer said was checked by a “general sense check” rather than response by response. Specific errors have been acknowledged: a petition with over 80 signatures was recorded as a single letter, the AI declaration in a feedback report gave the wrong dates, and the 3 September 2024 report included land in error. Officers now say a compliant Habitats Regulations Assessment is required at the point of adoption.

**Our view.** Using AI to summarise responses is not wrong in itself. Our concern is whether, with incomplete evidence and errors in the summaries, members could give conscientious consideration to the 2,700-plus responses on EXMO20, as a fair consultation requires.

What was said:

> *“…we knew we didn't have the water cycle study we knew that the HRA required some some further work”*
>
> Ed Freeman, 8 July 2025, 01:47:06 · play the clip ▶ · about this meeting

> *"...we don't have to go through and check every individual one, but, you know, the general sense check."*
>
> Ed Freeman, 3 March 2026, 00:58:38 · play the clip ▶ · about this meeting

> *"...included some land in error..."*
>
> Ed Freeman, 14 July 2026, 00:41:09 · play the clip ▶ · about this meeting

> *"A compliant HRA is required at the point of plan adoption. It is not a legal requirement before then..."*
>
> Ed Freeman, 22 September 2026, 00:54:04 · play the clip ▶ · about this meeting

## 9 What committee members themselves said

**The facts.** Some members of the Strategic Planning Committee have said in committee that EXMO20 should not have been included. Their words are below; please play each clip for the full context.

What was said:

> *"...it shouldn't have been included at the time. The officers themselves said it shouldn't be included."*
>
> Cllr Ledger, 8 July 2025, 02:51:03 · play the clip ▶ · about this meeting

Quotes come from machine transcripts. We've corrected misheard names and terms (for example "purple bed heaths" is shown as "Pebblebed Heaths") and kept every other word as transcribed. "..." marks words left out of a longer remark. Speakers are identified from the recording. Play each clip before relying on it. Ed Freeman is the council's Assistant Director, Planning Strategy and Development Services. This page sets out the evidence; it isn't legal advice.

# Part 2. The evidence

## What the experts said

These are the government's adviser on nature, two leading conservation charities and the government's heritage adviser, responding to the council's consultations on the plan.

### Natural England

> *"The Plan remains unsound until this uncertainty is resolved, the mitigation is secured, and the policy wording is updated accordingly."*
>
> Natural England on traffic pollution and the Pebblebed Heaths (policy PB04), second Regulation 19 consultation, January 2026 · document (pp.20–23)

> *"We understand that there are currently no practicable options to fully mitigate the impacts of increased emissions at this site resulting from the East Devon Local Plan."*
>
> Natural England, January 2026 · document

> *"The St John's site (Exmo_20) was rejected as GH/ED/76 (same boundaries) at the Regulation 18 stage of the Local Plan … this is the first time that Natural England has had opportunity to comment on this site."*
>
> Natural England, letter of 28 March 2025 · document (pp.2–3)

Natural England's January 2026 comments are about the plan as a whole. Devon County Council's traffic forecast puts 2,235 of the 2,536 extra vehicles a day on the B3179, which runs beside the Heaths, down to EXMO20, assuming its main access is from the B3179 (FOI reply). In 2025 Natural England asked for a natural buffer along the B3179 rather than objecting to the site outright.

### RSPB

> *"The RSPB is very concerned that the St John's allocation in particular will have damaging impacts on the designated heathland SAC/SPA"*
>
> RSPB, first Regulation 19 consultation, 2025 · document (pp.33–35)

> *"This allocation and others close to the heaths cannot proceed unless adverse impacts on the integrity of the heaths SPA/SAC can be ruled out."*
>
> RSPB, second Regulation 19 consultation, 2026 · document

## Devon Wildlife Trust

> *"Devon Wildlife Trust considers the inclusion of this site for development is unacceptable and we object in the strongest possible terms."*
>
> Devon Wildlife Trust, letter of 24 March 2025 · document (p.4)

> *"The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area (SNA)."*
>
> Devon Wildlife Trust, 24 March 2025 · document (p.4)

> *"Devon Wildlife Trust would urge East Devon District Council to remove this allocation from the plan to avoid such impacts altogether."*
>
> Devon Wildlife Trust, letter of 7 January 2026 · document (pp.3–4)

## Historic England

> *"Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance"*
>
> Historic England on the grade II* listed Church of St John in the Wilderness, letter of 30 March 2025, marked "Unsound" · document (pp.7–8)

> *"Consequently, in its current form we consider Exmo_20 fails the NPPF tests of soundness as it is unjustified and inconsistent with national policy"*
>
> Historic England, 30 March 2025 · document

> *"To minimise harm to heritage assets, we suggest that development is restricted to the southern part of the site, and that the quantum of development and proposed range of uses is restricted to that which can be accommodated there."*
>
> Historic England, letter of 23 January 2026, still marked "Unsound" · document (pp.3–5)

## The council's own Habitats Regulations Assessment

> *"there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks."*
>
> Habitats Regulations Assessment for the council, 18 November 2025, p.96 (the same sentence was in the January 2025 version)

> *"As the identified mitigation measures do not fully address the adverse effect to the integrity of the site the HRA process cannot be concluded at this time."*
>
> Air quality mitigation strategy for the Pebblebed Heaths (ENV-034), 6 November 2025, p.15 · document

For balance: Devon County Council withdrew its minerals objection to EXMO20 in January 2026 after the policy wording was changed. The council says decisions on the plan were made in public after considering all the evidence, and that objectors will be heard at the examination.

## Traffic pollution next to the site

Car and lorry exhaust adds nitrogen to the heathland, which harms it. The B3179, where EXMO20's main road access would join, runs between the site and Withycombe Raleigh Common and Bystock, part of the protected Pebblebed Heaths.

> *"It was forecast that an increase of 2536 vehicles daily would be seen on the B3179, of which 2235 would be due to the Exmo_20 site."*
>
> Devon County Council, Freedom of Information reply, February 2026 · reply. The reply adds that it was "assumed that the Exmo_20 site would have a primary access from the B3179, and so all but local traffic from Exmo_20 was routed along the B3179".

> *"Bystock Nature Reserve & Withycombe Raleigh Common adjacent to B3179, the modelling study indicates exceedances of the screening threshold within 300 m of the road (SSSI units 15, 16)."*
>
> The council's air quality mitigation strategy (ENV-034), 6 November 2025, p.14 · document. The same page adds that wider factors "would indicate a much more restricted zone around this road likely to extend less than 15 metres from the road".

> *"aspects of this work were challenged by Natural England and as such Ricardo have undertaken further modelling to align with Natural England concerns and are currently updating their report accordingly."*
>
> Officers' report to the Strategic Planning Committee, 22 September 2026, para 3.14, on the 2026 re-modelling · document

The same paragraph says the version that takes account of Natural England's concerns shows "corridors of land, typically stretching around 20 to 40 metres in from the road edges across the heaths where potential for adverse effects cannot be screened out". It says these corridors are "substantially narrower" than in the original modelling, and add up to "about 1% of the total area of the habitat". The same report adds (para 3.15): "whilst potential for adverse effects cannot be screened out it does not mean that they will actually happen." The updated report had not been published as of 10 November 2026.

> *"detailed transport modelling of the local road network and junctions surrounding the site has not yet been undertaken."*
>
> Devon County Council (Highways), reply to David Reed MP, October 2026 · letter. For balance, the same letter says the county council "has not objected to the inclusion of the site within the draft Local Plan".

## Inside a Strategic Nature Area

Strategic Nature Areas were mapped for Devon to show where wildlife habitats most need to be protected, restored and joined up. The council's own Sustainability Appraisal records that EXMO20 lies in one:

> *"Exmo_20 is covered by the 'Lowland Heath' Strategic Nature Area and draft Nature Recovery Network"*
>
> Sustainability Appraisal for the council, November 2025, p.391

Devon Wildlife Trust says "the entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area" (above). The lowland heath Strategic Nature Area here is **SNA 368, East Devon Pebblebed Heaths**. Devon Biodiversity Records Centre's profile describes it as a large area, about 3,350 hectares, stretching from the Heaths to the coast. It records that it contains "the largest block of lowland heath in Devon", and lists breeding nightjar and Dartford warbler, over 20 priority moth and butterfly species, 21 breeding dragonfly species, otters, dormice and bats. (SNA 368 profile, Devon Biodiversity Records Centre, PDF)

## Water and sewage

The Local Plan's evidence on water supply and sewage, the Water Cycle Study, is being redone. In September 2026 officers told the committee:

> *"In local plan representations the Environment Agency and South West Water raised objections to aspects of report content and approach."*
>
> Officers' report to the Strategic Planning Committee, 22 September 2026, para 2.2 · document. The report goes on: "Comments made do not render local plan policy as flawed, unworkable or unreasonable."

The report says the work is being re-modelled using the Environment Agency's preferred method, with "final outputs in October 2026" (para 2.4), and that "of higher importance in terms of local plan work is that we reach agreed outputs and conclusions with the Environment Agency as this is the key body with statutory responsibilities". As of 10 November 2026 the updated study had not been published.

> *"does not currently provide sufficient evidence to demonstrate that all aspects of the proposed growth strategy can be delivered sustainably."*
>
> Environment Agency, on the Water Cycle Study, reply to David Reed MP, November 2026 · letter

> *"We have advised that housing development should be aligned with the delivery of necessary infrastructure and that wastewater improvements should be provided alongside development rather than retrospectively."*
>
> The same letter

> *"There is no mention of the main river on site which is a key constraint."*
>
> Environment Agency, on the EXMO20 policy, first Regulation 19 consultation, April 2025 · document. It also said of the 400 m wording: "There may be scope for confusion on the nature of impacts and what constitutes an unacceptable level of impact."

For balance: South West Water told the MP that "There is currently measured headroom available at Maer Lane for all developments that will be constructed ahead of investment which is planned to be completed by late 2028" (statement). The council says its policies stop new homes being occupied until wastewater capacity is in place. The Environment Agency has not objected to the site itself.

## Health services

> *"Our modelling indicates that this level of development could result in around 3,186 additional residents, which would increase demand on local NHS services."*
>
> Royal Devon University Healthcare NHS Foundation Trust, reply to David Reed MP, November 2026, on about 1,455 new homes planned in Exmouth, including about 700 at EXMO20 · letter

> *"The proposed EXMO_20 allocation is currently at the pre-application stage, and the Royal Devon intends on submitting its case for developer contributions relating to the scheme."*
>
> The same letter

In May 2026 an officer told the committee that the NHS had helped prepare the plan's Infrastructure Delivery Plan, and that a consultee's concern does not by itself make the plan unsound (their argument and our answer).

## Archaeology: prehistoric finds on the higher ground

Devon County Council, which advises on archaeology, asked in January 2026 for a full heritage and archaeological assessment of the site. It pointed to:

> *"evidence of prehistoric activity in the form of findspots of flint tools and funerary monuments on the higher ground to the north"*
>
> Devon County Council, letter of 22 January 2026, p.14 · document

The access road from the B3179 would come into the site from the north. Historic England has separately said the site is "Unsound" because of harm to the setting of the grade II* listed Church of St John in the Wilderness (above).

## Budleigh Salterton Town Council objects

Budleigh Salterton is the nearest town to the proposed main access on the B3179. In its formal response to the first Regulation 19 consultation (2025), the town council said the plan was unsound because of EXMO20:

> *"The B3179 cannot safely accommodate the extra and excessive traffic the addition of 700 houses and 2 ha of employment space would generate, as proposed with the Exmo_20 development."*
>
> Budleigh Salterton Town Council, 2025 · document

> *"Budleigh Salterton Town Council has not been directly consulted on this matter, despite being the most proximate town to the proposed main access point for the Exmo_20 development."*
>
> The same response

> *"we believe that no modifications can render this aspect of the plan sound."*
>
> The same response

## What the council's own evidence says

These come from documents written for the council, or by it, as part of the Local Plan.

> *"the key allocation of concern"*
>
> The council's Habitats Regulations Assessment (November 2025, p.58) on St John's, which it describes as an allocation "that directly abuts the southern parts of the East Devon Heaths SAC/SPA (Withycombe Raleigh Common)" · document

> *"the Local Plan will need to be amended to eliminate this residual adverse effect"*
>
> The council's air quality mitigation strategy (ENV-034, November 2025), Recommendation 4, on what happens if the mitigation measures are not enough · document

> *"Lack of HRA certainty, particularly for Exmo_20 and other Pebblebed-proximate sites"*
>
> The council's own Consultation Statement (October 2026, p.32), listing the main issues people raised · document

> *"while not ideal, the plan could be submitted with some outstanding matters remaining to be resolved."*
>
> Officers' report to the Strategic Planning Committee, 22 September 2026, para 3.20 · document. Compare Natural England, which recommends the air quality strategy "should be secured and detailed before the Plan is presented for examination".

> *"the LHN represents 40% more than the need implied by the demographic trend alone"*
>
> The council's Local Housing Needs Assessment 2025, para 27. It gives a "demographically projected need of 12,878 dwellings" against the plan's 20,909 · document

> *"The impact assessment primarily relies on 'visual connectivity' and does not represent a robust assessment of the potential impact on the significance the church derives from its setting, critically failing to consider impact on tranquillity. This is a major concern."*
>
> Historic England on the council's heritage assessment for EXMO20, letter of 23 January 2026 · document

## The council's view

To be fair to the council, here is how it explains its position:

> *"All decisions on the Local Plan have been made in public sessions of our Strategic Planning Committee which has considered the Local Plan and its supporting evidence at over 60 public meetings including public speaking."*
>
> The Vice Chair, responding for the council at full Council, 15 April 2026 · minutes

> *"All reasonable options for site allocation have been openly considered by the committee and government guidance on plan production has been followed."*
>
> The same response

> *"Ultimately the plan will be examined in public by a government appointed inspector and those who maintain an objection to the plan will have an opportunity to be heard."*
>
> The same response

The council also points to a shortage of housing land. In September 2026 its land supply was recorded as 3.16 years, against the five years national policy expects, and it narrowly failed the Government's Housing Delivery Test (84% against a requirement of 85%). The September 2026 minutes record an officer explaining that members had "decided not to reduce housing numbers due to the risks of delaying the Local Plan and falling outside transitional arrangements". We think the evidence above

shows those risks are better met by getting the plan right. Read both sides and judge for yourself: we set out the council's main arguments, and our answers, side by side.

## The council's own documents

How EXMO20 was assessed, set side by side:

| Document | What it says about EXMO20 |
|---|---|
| Site Selection Methodology, May 2022 | Only sites assessed as "suitable, available and achievable" in the HELAA go forward to site selection. Sites within 400 m of the Pebblebed Heaths should be sifted out. |
| HELAA (housing land assessment), 2022 | Listed in the appendix headed "Available but not suitable or achievable". Its site profile marks it "Probably unachievable", citing access, the Pebblebed Heaths and minerals. |
| Officers' Exmouth site selection report for the committee, August 2024 | Should EXMO20 (700 homes) be allocated? "No (but see separate reference to Exmo_20b)", a 150-home southern part. document (p.11) |
| Strategic Planning Committee, 3 September 2024 | Members vote to allocate the whole site. The meeting |
| Site selection report, February 2025 | The answer becomes "Yes. On balance Strategic Planning Committee determined it to be an appropriate site to allocate for development." |
| Sustainability Appraisal, February 2025 | Says EXMO20 was "assessed as suitable, available and achievable" in the HELAA (p.329). |
| Sustainability Appraisal, November 2025 | Corrected: EXMO20 is a reasonable alternative "despite being unachievable in the HELAA" (p.387). For areas within 400 m of the Heaths, "mitigation would not be seen as possible" (p.399). The neighbouring site Exmo_04 was cut back to avoid the 400 m zone. EXMO20 was not. |
| Draft plan policy for EXMO20, November 2025 | Development that would cause "unacceptable impacts" is not permitted within 400 m of the Heaths. "The only exception to this constraint will be provision of an access road … to the B3179" (p.87). |
| Committee minutes, 14 July 2026 | "Exmo_20 had initially failed the HELAA assessment due to concerns about site access." minutes |

## The council's environmental decision (July 2026)

Before applying for planning permission, the developer, 3West, asked the council for a "screening opinion": a decision on whether the scheme needs a full Environmental Impact Assessment. Devon Wildlife Trust records that the developer's request said the scheme was not EIA development. The council disagreed.

> *"the Council's opinion is that the proposed development is likely to have significant effects on the environment and therefore constitutes EIA Development. Accordingly, any subsequent planning application must be accompanied by an Environmental Statement."*
>
> East Devon District Council, screening opinion 26/0005/EIA, 10 July 2026 · planning record ("EIA letter")

> *"The site occupies a particularly sensitive environmental location on the northern edge of Exmouth. It lies immediately adjacent to and within the setting of the East Devon National Landscape and in close proximity to the East Devon Pebblebed Heaths Special Area of Conservation (SAC), Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI)."*
>
> The same letter

> *"Evidence before the Council indicates that the SAC is already subject to exceedances of critical loads for nitrogen deposition and critical levels for ammonia."*
>
> The same letter, on air quality and the Pebblebed Heaths

> *"The proposal would urbanise approximately 85 hectares of currently undeveloped countryside and introduce a substantial new population into an environmentally sensitive location."*
>
> The same letter, conclusion

> *"DWT strongly objects to proposals for development of this scale within this location."*
>
> Devon Wildlife Trust, comment on 26/0005/EIA, 23 June 2026. It notes the site lies "within approximately 10m" of the Pebblebed Heaths designations · planning record

## What the developer's own plans show

3West published a framework plan and a constraints plan for the site after its July 2026 webinar (developer's website). The framework plan marks the 400 m buffer around the Pebblebed Heaths with a dashed line. Inside that line it shows:

- the main vehicle access road from the B3179;
- sports pitches, with "Social and Community facilities, Sports pitches with changing rooms and associated parking";
- an area of about 2 hectares labelled "Care, health, community, retail and employment";

- public open space or SANG (green space for recreation, intended to draw visitors away from the Heaths).

The housing areas are drawn just outside the line. The plan's key says "Circa 750 homes @33 dph", where the draft Local Plan says "around 700".

Set that beside what the council's own documents say about the same 400 m zone:

> *"The 400m buffer from the Pebblebed Heaths SPA/SAC coincides with the higher, more prominent parts of Exmo_20, meaning built development will not be permitted in this area"*
>
> Sustainability Appraisal for the council, November 2025, p.392

> *"new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths."*
>
> Draft Local Plan policy for EXMO20, November 2025, p.87. The policy makes an exception for the access road to the B3179.

> *"Concern was expressed about development within the proposed buffer zone. The project team explained that the buffer zone was designed to prevent residential development so some carefully considered commercial/community uses were being explored."*
>
> The developer's own summary of its meeting with town and parish councils, 1 June 2026 · developer's website

The developer's documents describe early proposals. No planning application has been submitted yet. Its July 2026 slides say it intends to "submit an outline planning application later this year".

## Then and now: the 2021 vision

Before EXMO20 was in the Local Plan, the site's promoters published a vision document, "St John's Woodland Village – A place to belong" (2021). The council publishes it as the Exmo_20 vision statement. Here is what it said, set beside what has been said since.

| | 2021 vision document | Since then |
|---|---|---|
| Homes | "719 Homes", "1800 Population" | Draft Local Plan: "around 700". Developer's 2026 framework plan: "Circa 750 homes". |
| The 400 m rule | Quoted the adopted Local Plan: "new dwellings will not be allowed on or within 400 metres of the SPA" | Draft policy for EXMO20 (2025): "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres". The RSPB says the word "unacceptable" |

| | 2021 vision document | Since then |
|---|---|---|
| | | is "unclear, rather than 'adverse' which follows specific tests". |
| Can it be seen? | "Virtually all of the site is well-screened from views from the surrounding area" | The council's 2026 EIA decision: "The site is visible from surrounding roads, elevated viewpoints, publicly accessible countryside and parts of the East Devon National Landscape." |
| Visitors to the Heaths | The development would ensure "that the sensitive Pebblebed Heath habitats are not exposed to increased visitor pressure" | The council's 2026 EIA decision: the proposal "would introduce a substantial increase in population within the zone of influence of these internationally important sites and has the potential to increase recreational pressure". |
| Land not suitable for building | "Not suitable for development: Total 43.3 ha", including "17.0 - ecological buffer" | The 2026 scheme covers about 85 hectares. The developer's framework plan puts the access road, sports pitches and a care, health, community, retail and employment area inside the 400 m buffer. |
| Why here? | Described St John's as "one of the only options for delivering sustainable growth in Exmouth" | The council's own officers recommended "No" to allocating the whole site in August 2024. |

## Objections in numbers

**~1,110**

responses on EXMO20 out of 3,510 in the first consultation (2025)

**1,672**

responses on EXMO20 out of 3,114 in the second consultation (2025–26)

Both of the council's feedback reports call the policy containing EXMO20 "the most commented-on policy by a considerable margin". The second report's AI declaration (p.12) says responses were summarised using Microsoft Copilot. (second feedback report)

# Timeline

| When | What happened |
|---|---|
| 2022 | The whole site is consulted on as a "rejected" site. Only a smaller southern part (Exmo_20b) is a "second choice". |
| Aug 2024 | Officers' report recommends not allocating the whole site. |
| 3 Sep 2024 | Strategic Planning Committee members vote to allocate EXMO20 (about 700 homes). |
| 11 Dec 2024 | The committee approves the draft plan for consultation. |
| 13 Feb – 31 Mar 2025 | First Regulation 19 consultation: about 1,110 responses on EXMO20. |
| 2 Sep 2025 | The committee votes 9–1–2 to keep EXMO20. |
| 28 Nov 2025 – 26 Jan 2026 | Second Regulation 19 consultation: 1,672 responses on EXMO20. |
| Apr 2026 | The June 2026 submission deadline is replaced by "the end of the calendar year". |
| 29 May – 10 Jul 2026 | The developer, 3West, asks the council whether a full Environmental Impact Assessment is needed. The council decides it is "EIA Development" and that any application must include an Environmental Statement (ref. 26/0005/EIA). |
| Jul 2026 | 3West publishes a framework plan for "circa 750 homes", with the access road, sports pitches and a care, health, community, retail and employment area inside the 400 m buffer. |
| 22 Sep 2026 | Officers report they are "not in a position to recommend submission". Air quality and water evidence is still being finished. |
| 24 Sep 2026 | David Reed MP holds a public meeting on EXMO20 in Exmouth. |
| 1 Dec 2026 | Next Strategic Planning Committee. |
| 9 Dec 2026 | Full Council. Only full Council can decide to submit the plan, and it must be submitted in 2026 to go ahead under the current rules. |

Some important evidence hasn't been published yet: see the questions we're asking. For press coverage, see in the news.

Quotes are copied from the published documents. Page numbers are usually the page number printed in the document, which can differ from the PDF viewer's page count; searching the linked PDF for the quoted words

will find each one. Names of private individuals in the council's documents are deliberately left out.

# Part 3. Their arguments, our answers

## 1 "The government sets the housing numbers, so we have to find the sites."

WHAT THE COUNCIL SAYS

> *"we are struggling to find suitable sites to meet our housing need which is dictated to us by government and we have to meet those numbers"*
>
> Ed Freeman (officer), 3 September 2024, 01:09:25 · play the clip ▶ · about this meeting

> *"to drop numbers further could lead to greater vulnerability to challenges of not adequately planning for appropriate housing provision."*
>
> Ed Freeman (officer), 22 September 2026, 00:49:01 · play the clip ▶ · about this meeting

### OUR ANSWER

The government sets a total for the district, not for this site. When EXMO20 was added, the sites officers had recommended, which included only a 150-home southern part of the site rather than the whole 700-home allocation, already met the requirement with some headroom to spare. The requirement has since fallen.

> *"we only have a headroom position of 1.2 or 253 dwellings"*
>
> Ed Freeman (officer), 3 September 2024, on the sites officers recommended, which included only a 150-home southern part of EXMO20, 00:13:35 · play the clip ▶ · about this meeting

> *"equates to a fall of 563 homes"*
>
> Ed Freeman (officer), 2 September 2025, 00:33:52 · play the clip ▶ · about this meeting

> *"the LHN represents 40% more than the need implied by the demographic trend alone"*
>
> The council's Local Housing Needs Assessment 2025, para 27 · document

Officers advise keeping the 563 homes as extra headroom. That is a judgement, not a legal requirement, and it is the committee's choice to make.

---

## 2 "Taking EXMO20 out would be a 'significant change'."

### WHAT THE COUNCIL SAYS

> *"The removal of any allocation is likely to be a significant change"*
>
> Ed Freeman (officer), 22 September 2026, 00:49:24 · play the clip ▶ · about this meeting

### OUR ANSWER

We haven't found "significant change" defined in any council document, or any test showing what it would mean for EXMO20. Officers have also told the committee that removing sites is possible.

> *"if we were taking out say a a site of only 10 houses in terms of the housing numbers it doesn't represent a massive problem because we gave ourselves headroom"*
>
> Ed Freeman (officer), 8 July 2025, 02:16:43 · play the clip ▶ · about this meeting

> *"that's the kind of scale I think in terms of changes where I think we really have a problem I'm not saying you can't do it I'm just advising you of the consequences potentially of doing it"*
>
> Ed Freeman (officer), 2 September 2025, on a change on the scale of EXMO20, 00:46:50 · play the clip ▶ · about this meeting

The replacement figures officers gave members for EXMO20 were based on other Exmouth sites, and we have not seen an assessment of replacements across the district (ground 3).

---

## 3 "It's only an allocation. The detail is tested at the planning application."

### WHAT THE COUNCIL SAYS

> *"all we're doing is allocating sites, it has to go through the planning process ... so this is simply an allocation"*
>
> Cllr Hayward, 11 September 2024, 00:29:01 · play the clip ▶ · about this meeting

### OUR ANSWER

Once a site is in an adopted plan, the principle of building there is settled. The questions that decide whether it can work (the Heaths, access, sewage) are the ones being left until later.

> *"once a site is allocated in a plan you're basically accepting it's appropriate for it to come forward"*
>
> Ed Freeman (officer), 8 July 2025, 03:11:12 · play the clip ▶ · about this meeting

> *"ultimately development coming through in that area will have to be subject to Habitat Regulations assessment based on the detailed design and the detailed proposal so those issues will all be considered through that process um later"*
>
> Ed Freeman (officer), 25 November 2025, on the Heaths inside EXMO20's 400 m zone, 00:57:35 · play the clip ▶ · about this meeting

> *"the purpose of preparing a plan is to address all the necessary matters as far as possible, and not defer them to future updates or rely on the Inspector to deal with them, or to 'fix' deficient plans at examination."*
>
> The Planning Inspectorate's Procedure Guide for Local Plan Examinations, para 1.1 · guidance

---

## 4 "The harm to the Heaths comes from growth across the district, not from one site."

### WHAT THE COUNCIL SAYS

> *"So the impact is not arising from any one site, it's from many, many sites"*
>
> Ed Freeman (officer), 22 September 2026, 03:11:32 · play the clip ▶ · about this meeting

> *"ultimately concludes in terms of the mitigations that are proposed within the plan that it would be acceptable as things stand. … That's an independent conclusion from Footprint Ecology."*
>
> Ed Freeman (officer), 2 September 2025, on the Habitats Regulations Assessment, 01:23:18 · play the clip ▶ · about this meeting

### OUR ANSWER

The county council's traffic forecast puts most of the extra traffic on the road beside the Heaths down to EXMO20. Devon County Council forecast 2,536 more vehicles a day on the B3179, "of which 2235 would be due to the Exmo_20 site", assuming its main access is from the B3179 (FOI reply). The latest assessment can't rule out harm, and officers have said that removing particular sites would help.

> *"At the appropriate assessment stage there is not yet sufficient certainty to rule out adverse effects on integrity in relation to … air quality (East Devon Heaths SAC/SPA)."*
>
> Habitats Regulations Assessment for the council (Footprint Ecology), 18 November 2025, summary · document

> *"specific sites where if they were removed the impacts would come below the thresholds that Natural England guidance suggests is acceptable"*
>
> Ed Freeman (officer), 22 September 2026, 03:11:05 · play the clip ▶ · about this meeting

> *"we should be trying to avoid the impacts on the habitat first of all"*
>
> Ed Freeman (officer), 22 September 2026, 01:52:31 · play the clip ▶ · about this meeting

More on this: traffic pollution next to the site.

---

## 5 "No homes will be built within 400 metres of the Heaths."

### WHAT THE COUNCIL SAYS

> *"the wording of the policy as drafted is new homes and other development that would result in unacceptable impacts will not be permitted within 400 meters"*
>
> Ed Freeman (officer), 25 November 2025, 02:06:21 · play the clip ▶ · about this meeting

### OUR ANSWER

The draft policy covers "new homes and other development that would result in unacceptable impacts", but officers read it as applying mainly to homes, and have said other uses and the main access road can go inside the zone. The developer's framework plan puts the access road, sports pitches and a care, health, community, retail and employment area there (see the plan).

> *"Those issues wouldn't arise with community uses or commercial uses and so I don't see a planning basis upon which to restrict those uses within that zone."*
>
> Ed Freeman (officer), 25 November 2025, 00:15:32 · play the clip ▶ · about this meeting

> *"it's obviously not ideal to have the access there but it's not something that you can't have within the 400 meter buffer zone"*
>
> Ed Freeman (officer), 3 March 2026, on the access road, 00:54:52 · play the clip ▶ · about this meeting

> *"The policy also currently refers to 'unacceptable' impacts on the Pebblebed Heaths, which is unclear, rather than 'adverse' which follows specific tests"*
>
> RSPB, second Regulation 19 consultation · document

---

## 6 "The access problem that failed the site assessment has been solved."

### WHAT THE COUNCIL SAYS

> *"Alternative access arrangements including from the B3179 in addition to **St John's** Road were later explored and meant that the site could be achieved."*
>
> Ed Freeman (officer), 14 July 2026, 00:21:04 · play the clip ▶ · about this meeting

### OUR ANSWER

The road's route still hadn't been fixed a year after the site was kept, and it can only reach the site through the 400 m zone. Historic England has warned about the road itself.

> *"we don't know where the access road would come in from from the B3179"*
>
> Ed Freeman (officer), 2 September 2025, 01:46:35 · play the clip ▶ · about this meeting

> *"if you take that 400 meter zone out of the allocation then there's no access to that site"*
>
> Ed Freeman (officer), 25 November 2025, 00:56:50 · play the clip ▶ · about this meeting

> *"we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm."*
>
> Historic England, letter of 30 March 2025 · document

---

## 7 "No homes will be built until there's sewage and water capacity."

### WHAT THE COUNCIL SAYS

> *"new homes will not come forward unless there is adequate wastewater infrastructure and potable water to support them."*
>
> Ed Freeman (officer), 3 March 2026, 01:12:11 · play the clip ▶ · about this meeting

> *"So deficiencies in the water cycle study don't necessarily mean that the Local Plan is unsound. … We don't have to agree with the Environment Agency fundamentally."*
>
> Ed Freeman (officer), 5 May 2026, on the Environment Agency's comments, 01:24:57 · play the clip ▶ · about this meeting

### OUR ANSWER

A plan has to show its sites can be delivered. The evidence on water is still being redone, and the Environment Agency, the government body responsible, says it doesn't yet show that.

> *"does not currently provide sufficient evidence to demonstrate that all aspects of the proposed growth strategy can be delivered sustainably."*
>
> Environment Agency, on the Local Plan's Water Cycle Study, reply to David Reed MP, November 2026 · letter

> *"they were quite clear that they just don't have the data"*
>
> Ed Freeman (officer), 3 March 2026, on South West Water and sewage capacity, 01:55:13 · play the clip ▶ · about this meeting

More on this: water and sewage.

---

## 8 "The NHS helped plan the infrastructure."

### WHAT THE COUNCIL SAYS

> *"they were involved in the production of the infrastructure delivery plan that accompanies the plan so we should have captured all of their needs in terms of health care infrastructure"*
>
> Ed Freeman (officer), 5 May 2026, on the NHS's comments, 01:26:22 · play the clip ▶ · about this meeting

### OUR ANSWER

The local NHS trust has since told the MP that the growth would add to demand on its services, and that it will be asking the developer to contribute.

> *"Our modelling indicates that this level of development could result in around 3,186 additional residents, which would increase demand on local NHS services."*
>
> Royal Devon University Healthcare NHS Foundation Trust, reply to David Reed MP, November 2026, on about 1,455 new homes in Exmouth including EXMO20 · letter

More on this: health services.

## 9 "Every comment has been read and considered."

### WHAT THE COUNCIL SAYS

> *"I'm confident all comments have been heard and considered through the process and that's documented in the reports that you've received"*
>
> Ed Freeman (officer), 25 November 2025, 00:15:14 · play the clip ▶ · about this meeting

> *"while we've used AI to summarize the consultation responses received, it doesn't mean that members of the team haven't read through those responses and considered them."*
>
> Ed Freeman (officer), 5 May 2026, 00:47:21 · play the clip ▶ · about this meeting

### OUR ANSWER

Committee members decided on summaries made with AI. Officers have described how those summaries were checked, and have corrected mistakes in them.

> *"we don't have to go through and check every individual one, but, you know, the general sense check."*
>
> Ed Freeman (officer), 3 March 2026, 00:58:38 · play the clip ▶ · about this meeting

> *"a representation that we had summarized in the feedback report was actually a petition and it had 80 over 80 signatures to it"*
>
> Ed Freeman (officer), 2 September 2025, 00:29:58 · play the clip ▶ · about this meeting

> *"The AI declaration on page 11 includes an incorrect date."*
>
> Ed Freeman (officer), 5 May 2026, 00:46:57 · play the clip ▶ · about this meeting

## 10 "Members have considered EXMO20 many times and chose to keep it."

### WHAT THE COUNCIL SAYS

> *"Having heard the concerns of residents and given them full consideration members on each occasion have decided to continue to allocate the site."*
>
> Ed Freeman (officer), 22 September 2026, 00:50:31 · play the clip ▶ · about this meeting

### OUR ANSWER

The officers' own report recommended "No" to allocating the whole site in August 2024 (see the documents). When members added it, officers said more work was needed first, and at least one member has since said it shouldn't have been included.

> *"some further work would need to be done before we could put it in as a concrete fixed allocations"*
>
> Ed Freeman (officer), 3 September 2024, 00:12:58 · play the clip ▶ · about this meeting

> *"it shouldn't have been included at the time. The officers themselves said it shouldn't be included."*
>
> Cllr Ledger, 8 July 2025, 02:51:03 · play the clip ▶ · about this meeting

Quotes come from machine transcripts of the council's own recordings. We've corrected misheard names and terms and kept every other word as transcribed. "…" marks words left out of a longer remark. Please play each clip to hear the full context. Ed Freeman is the council's Assistant Director, Planning Strategy and Development Services. This page sets out the evidence; it isn't legal advice. For the council's general statement of its position, see the council's view.