

Agenda for Strategic Planning Committee Wednesday, 23rd October, 2024, 10.00 am

Members of Strategic Planning Committee

Councillors: B Bailey, J Bailey, K Blakey, C Brown, B Collins, O Davey, P Fernley, P Hayward, M Howe (Vice-Chair), B Ingham, G Jung, D Ledger, Y Levine, T Olive (Chair) and H Parr

Venue: Council Chamber, Blackdown House, Honiton

Contact: Wendy Harris;

01395 517542; email wharris@eastdevon.gov.uk

(or group number 01395 517546)

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East Devon District Council
Blackdown House
Border Road
Heathpark Industrial Estate
Honiton
EX14 1EJ

DX 48808 HONITON

Tel: 01404 515616

www.eastdevon.gov.uk

This meeting is being recorded for subsequent publication on the Council's website and will be streamed live to the [East Devon District Council Youtube Channel](#).

1 Minutes of the previous meeting (Pages 3 - 33)

Minutes of the previous meetings held on 23 September and 1 October 2024.

2 Apologies

3 Declarations of interest

Guidance is available online to Councillors and co-opted members on making [declarations of interest](#)

4 Public speaking

Information on [public speaking](#) is available online

5 Matters of urgency

Information on [matters of urgency](#) is available online

6 Confidential/exempt item(s)

To agree any items to be dealt with after the public (including the Press) have been excluded. There are no items which officers recommend should be dealt with in this way.

7 Settlement hierarchy - Uptonery and Woodbury Salterton (Pages 34 - 37)

This report considers the settlement hierarchy in the emerging Local Plan in relation to Uptonery and Woodbury Salterton.

8 Gypsy and Traveller Provision (Pages 38 - 43)

This report explains how the need for accommodation for gypsies and travellers in the emerging Local Plan has been assessed.

9 East Devon Local Plan - redrafting of local plan chapters (Pages 44 - 300)

This report sets the scene for the redrafting of the written text of the Local Plan.

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[Decision making and equalities](#)

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EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Strategic Planning Committee held at Council Chamber, Blackdown House, Honiton on 23 September 2024****Attendance list at end of document**

The meeting started at 10.02 am and ended at 6.10 pm

171 Declarations of interest

Minute 176 Site Otry_09

Cllr J Bailey declared an Other Registerable Interest as a Devon County Councillor, and the site is owned by Devon County Council.

Minute 189 Site Brcl_26

Cllr P Fernley declared an affects and prejudicial NRI as her home address is close to the site.

Minute 176 Site Otry_18

Cllr M Howe declared an Affects NRI as his sister lives in the area but won't be affected to a greater extent than anyone else in the area.

172 Public speaking

A statement was read out on behalf of Mr Bob Nelson, the Chairman of Broadhembury Parish Council. This set out the Parish Council's support of Brhe_04; but did not support Brhe_05 and Brhe_07 on the grounds of heritage and landscape impacts that cannot be overcome. The Parish Council did not support Brhe_09 and had provided an extensive letter covering the reasons. The BUAB follows no natural topographical feature and departs from the National Landscape boundary.

The statement included comments from the Blackdown Hills Parish Network, stating that they felt that "service villages" should be allowed to serve the hinterland of the hamlets they support.

Comments from the Blackdown Hills National Landscape urged the committee to urge the Council as planning authority to work with the two Protected Landscapes to determine how the Act may work in practice and asked that development in Protected Landscapes complies with the law.

Cllr Pullman provided general comments on concern of eroding the green wedge between settlements of Ottery St Mary and West Hill. The impact of proposed allocation would mean an additional 800 plus cars and heavy plant vehicles using unsuitable roads.

A statement was read out on behalf of Chris Booker, Co-Chair of the Oil Mill Lane Residents Association. They were not in support of the related sites and welcomed the working group's agreement that the allocations should not be supported. A number of reasons for the sites being unsustainable or viable were outlined to the committee, including loss of food production land.

173 Matters of urgency

None.

174 **Confidential/exempt item(s)**

None.

175 **Proposed Housing and Employment Allocations - Ottery St Mary and surrounds**

The committee considered the site allocations for Ottery St Mary and surrounding areas, as set out in the minutes below.

176 **Ottery St Mary site selection report**

Otry_01 Barrack Farm

Proposed use: Housing

Number of dwellings: 469

Officer recommendation: Allocate Otry_01b 70 dwellings and 1.25ha employment land

Cllr Grainger from Ottery St Mary Town Council spoke on the potential of the site, but balanced that with the impacts of development on the area. If the site went forward, he commented that this would be sufficient for the town requirement.

Ward Member Cllr Johns objected to the site, stating reasons of the lack of secondary school places, impact on the green wedge, and the scales of housing was too large for the town to accommodate after already rapid growth.

Ward Member Cllr Faithfull reminded the committee of the green wedge designation in the town's neighbourhood plan. If developed, this would lead to isolated residents with limited public transport access, as well as an adverse impact visually in the area.

Committee debated the balance of housing need across the sites proposed for the town, including the scale of Otry_01a being too large and too rapid growth for the current and planned infrastructure.

A proposal to move on for Otry_01a, and include for allocation Otry_01b was made by Cllr B Collins, seconded by Cllr Ingham

Committee **agreed to move on to the next site allocation** in consideration of Otry_01a.

Committee **endorsed the recommendation to include Otry_01b in the site allocation.**

Otry_09 Land at Thorn Farm, Exeter Road

Proposed use: Housing

Number of dwellings: 90

Officer recommendation: Allocate

Cllr Grainger from Ottery St Mary Town Council advised of the urgent need for school places, and concerns of the site's proximity to Cadhay. The site should not be allocated for housing, but for a school.

Ward Member Cllr Johns objected to the site on grounds of the lack of school places, asking that the site in full be allocated only for educational use.

Ward Member Cllr Faithfull felt the site was too close to woodland and bog land that would be adversely impacted, and that the impact on the open countryside was unacceptable.

Officers clarified that a large proportion of the site had already been identified for education, and work was ongoing with Devon County Council (DCC) as to what form this would take. A housing allocation on this site, owned by DCC, could help deliver the funding to deliver a school. Less than half of the site could accommodate 90 dwellings, needing a landscape buffer between housing and education designation.

Cllr J Bailey raised concern on the risk of allocation of any of the site for housing, in case that adversely impacted on the delivery of educational facilities.

Committee discussed the educational need, requesting further clarity from DCC on their plans for the site. The Chair proposed that the policy wording should be revisited following input from DCC, to express the intention for the development of educational facilities as a priority, with a housing element as a secondary requirement.

Committee recommended to include Otry_09 in the site allocation with the intention of the development of educational facilities as a priority, with a housing element as a secondary requirement.

(Cllr J Bailey left the meeting for the debate and vote of this item due to her declaration of a directly relates NRI as a Devon County Councillor, and the site is owned by Devon County Council)

GH/ED/26 Land west of Cadhay Lane

Proposed use: Housing

Number of dwellings: 200

Officer recommendation: Not to allocate

Cllr Grainger from Ottery St Mary Town Council objected to the site on the grounds of any allocation effectively removing the green wedge between the town and West Hill.

Ward Member Cllr Johns objected to the site and outlined some adverse impacts.

Ward Member Cllr Faithfull agreed with the recommendation not to allocate, particularly due to the adverse visual impact any development of the site would have on the surrounding area.

A proposal to move on was made by Cllr Jung, seconded by Cllr Davey.

Committee agreed to move on to the next site allocation.

Otry_10 Land to the north and south of Salston Barton

Proposed use: Housing

Number of dwellings: 20

Officer recommendation: Allocate

Dr Dunsford spoke of inconsistencies in the appraisal of sites, explaining that no other sites had an assessment of "rounding off" a development. She advised the committee that Salston was a separate hamlet and should not be treated as an extension of the town for the purposes of additional housing.

Cllr Grainger from Ottery St Mary Town Council objected to the site, including flooding issues.

Ward Member Cllr Johns objected to the site, highlighting lack of suitable pedestrian access and the impact of run off water to lower land.

Ward Member Cllr Faithfull also commented on the poor cycle and pedestrian route, flood risk and detrimental impact of right to light for the existing hamlet.

The committee discussed:

- Narrow lanes being unsuitable for developing safe pavements
- Access to the site was poor
- Existing outline planning application options for access still not suitable
- Splitting the site to allocate only part with a suitable buffer between the hamlet and the development
- New information on considering Salston as a hamlet in the assessment of the site
- Risk in considering part of the site as a green wedge that as yet did not exist.

A proposal to allocate the site failed.

A proposal to move on was made by Cllr J Bailey, seconded by Cllr Bethany Collins.

Committee **agreed to move on to the next site allocation.**

GH/ED/27 Land south of Strawberry Lane

Proposed use: Housing

Number of dwellings: 60

Officer recommendation: Allocate

Timothy Dudgeon spoke on behalf of a local home owners group in objection to the inclusion of the site, explaining reasons of road safety, narrow unsuitable lanes, and the impact of the school commute in that area. He also outlined flooding risks and subsequent impact of residents securing house insurance.

Dr Dunsford advised the committee of all four roads to the area being of single car width, as well as flooding risk. Due to the land elevation, the site was significantly above Salston.

Cllr Grainger from Ottery St Mary Town Council outlined the impracticalities of the access to the site.

Ward Member Cllr Johns objected on grounds of unsuitable pedestrian access, and the regular flooding to the road being exacerbated.

Ward Member Cllr Faithfull also referred to increased flooding, and adverse visual impact.

Committee **agreed to move on to the next site allocation.**

Otry_15 Land at Bylands, Slade Road

Proposed use: Housing

Number of dwellings: 8

Officer recommendation: Allocate

Cllr Grainger from Ottery St Mary Town Council did not object to the site allocation.

Ward Member Cllr Johns requested suitable pedestrian access.

Ward Member Cllr Faithfull also referred to suitable pedestrian access being required.

To include the site for allocation was proposed by Cllr Jung and seconded by Cllr Ingham.

Committee **endorsed the recommendation to include Otry_15 in the site allocation.**

Otry_18 Land east of Sidmouth Road

Proposed use: Housing

Number of dwellings: 63

Officer recommendation: Not to allocate

David McKenny spoke on behalf of a local action group in opposition to the allocation of the site, outlining access issues and adverse impact on local roads.

Cllr Grainger from Ottery St Mary Town Council advised that the site was unsuitable.

Ward Member Cllr Johns opposed the site allocation on grounds of access.

Ward Member Cllr Faithfull supported the officer recommendation not to allocate the site.

Committee **agreed to move on to the next site allocation.**

Otry_19 Land at Slade Farm, Slade Road

Proposed use: Housing

Number of dwellings: 48

Officer recommendation: Not to allocate

Cllr Grainger from Ottery St Mary Town Council supported the officer recommendation not to allocate the site.

Ward Member Cllr Johns agreed with the previous speaker.

Committee **agreed to move on to the next site allocation.**

Otry_21 Land at Gerway Farm, west of Sidmouth Road

Proposed use: Housing

Number of dwellings: 70

Officer recommendation: Allocate

Samantha Thomas of Carney Sweeney representing Wain Homes, outlined the ongoing technical assessment and advised the committee of the viability of the site, including planned landscaping buffers.

Cllr Grainger from Ottery St Mary Town Council commented on the additional work required to resolve the access issues, advising that the town council did not support allocation.

Ward Member Cllr Johns opposed the site allocation on grounds of visibility and voiced her concern on the impact on the local narrow roads.

Ward Member Cllr Faithfull advised that the images used in the report were incorrect and that further work was needed before the site could be recommended forward.

Officer advice was that DCC were satisfied that the site was deliverable with the two potential access options. Committee comments included further checks on the access and linking with a cycle path would be advantageous.

Cllr Jung proposed inclusion of the site, seconded by the Chair.

Committee **endorsed the recommendation to include Otry_21 in the site allocation.**

GH/ED/29b Gerway Farm

Proposed use: Housing

Number of dwellings: 188

Officer recommendation: Not to allocate

Cllr Grainger from Ottery St Mary Town Council advised that the site was unsustainable.

Ward Member Cllr Johns and Ward Member Cllr Faithfull supported the officer recommendation not to allocate the site.

A proposal to move on was made by Cllr Jung, seconded by Cllr Fernley

Committee **agreed to move on to the next site allocation.**

GH/ED/31 Slade Farm

Proposed use: Housing

Number of dwellings: 48

Officer recommendation: Not to allocate

Cllr Grainger from Ottery St Mary Town Council opposed the allocation of the site.

Ward Member Cllr Johns opposed the site allocation.

Ward Member Cllr Faithfull supported the officer recommendation not to allocate the site.

Committee **agreed to move on to the next site allocation.**

GH/ED/32 Church Path Field, land east of Chineway Gardens

Proposed use: Housing

Number of dwellings: 61

Officer recommendation: Not to allocate

Ward Member Cllr Faithfull supported the officer recommendation not to allocate the site.

Committee **agreed to move on to the next site allocation.**

GH/ED/33 Land adjacent Great Well Farm

Proposed use: Housing

Number of dwellings: 80

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

GH/ED/34 Land at Littlewell

Proposed use: Housing
Number of dwellings: 289
Officer recommendation: Not to allocate

Ward Member Cllr Faithfull commented on a potential link road to alleviate traffic issues that this site would bring.

Committee **agreed to move on to the next site allocation.**

GH/ED/35 Land at Ridgeway

Proposed use: Housing
Number of dwellings: 130
Officer recommendation: Not to allocate

Ward Member Cllr Faithfull commented on the impact of offroad parking but still supported the officer recommendation not to allocate.

Committee **agreed to move on to the next site allocation.**

177 **Tipton St John site selection report**

Otry_04 Land south of Otter Close

Proposed use: Housing or school/5 self build
Number of dwellings: 45 or 5
Officer recommendation: Allocate noting possible relocation of school site

Ward Member Cllr Johns supported the allocation as a school site with five self-build plots.

Ward Member Cllr Faithfull outlined the impact of the B3176 and lack of pavements, alongside school commute impact. He felt the proposal of 45 dwellings was excessive for the size of the existing community.

The Chair proposed that the allocation be put forward for education, with five self-build plots.

Committee **recommended to include Otry_04 in the site allocation as a site for education with 5 self-build plots.**

Otry_06 Land next to 6 Coombe Vale

Proposed use: Housing
Number of dwellings: 12
Officer recommendation: Not to allocate

Ward Members Cllrs Johns and Faithfull agreed with the officer recommendation not to allocate.

Committee **agreed to move on to the next site allocation.**

Otry_22 Coombe Bank

Proposed use: Housing
Number of dwellings: 29
Officer recommendation: Not to allocate

Ward Member Cllr Faithfull offered some resolution by reducing roof height.

Committee **agreed to move on to the next site allocation.**

178 **West Hill site selection report**

West_04 Land adjoining Wind Mill Lane

Proposed use: Housing
Number of dwellings: 36
Officer recommendation: Allocate

Philip Shaw spoke on the previously failed planning applications, and the unsuitable access and high density. The approaching narrow road with a blind bend was also unsafe.

Catherine Knee of Collier Planning spoke on behalf of the developer outlining the suitability of the site and Devon County Council had confirmed that there was capacity for development in the local primary school advising that financial contributions would be made towards secondary provision.

Cllr Pullman, representing West Hill Parish Council, advised that the site was outside the Built Up Area Boundary (BUAB) and did not have supporting infrastructure, limited facilities nearby, and being unsustainable.

Ward Member Cllr J Bailey felt the allocation was inconsistent with the spatial strategy and the tier 4 settlement. She was opposed to allocating the site.

Cllr Blakey proposed the allocation of the site, seconded by Cllr Howe.

Committee **endorsed the recommendation to include West_04 in the site allocation**

West_18 Land north and east of Eastfield

Proposed use: Housing
Number of dwellings: 30
Officer recommendation: Allocate

Simon Tofts, of Blue Cedar Homes, spoke about the current planning application that had no technical objections from Highways or South West Water. He advised that the site was deliverable.

Cllr Pullman, representing West Hill Parish Council, advised the site was outside the BUAB, with safety risks for those walking to school and the excessive distance to a bus stop.

Ward Member Cllr J Bailey felt the site was not sustainable, had a detrimental impact and did not comply with the spatial strategy.

Cllr Howe proposed allocation of the site, making reference to site West_04 links with the footpath on this site. Cllr Jung seconded the proposal.

Committee **endorsed the recommendation to include West_18 in the site allocation**

West_01 Land at Westhayes/Hayes End, Eastfield

Proposed use: Housing

Number of dwellings: 4

Officer recommendation: Not to allocate

Cllr Pullman, representing West Hill Parish Council, agreed with the officer recommendation not to allocate.

Cllr J Bailey, picking up comments on sites sifted out of the proposals, asked for such sites to be referenced in the plan to make clear to the public that those sites had been discounted.

Committee **agreed to move on to the next site allocation.**

West_20 Land adjoining Summerhill Broad Oak

Proposed use: Housing

Number of dwellings: 36

Officer recommendation: Not to allocate

Cllr Pullman, representing West Hill Parish Council, advised the committee of the steep unlit road with no pavement to the site, as well as mature trees with preservation orders on the site.

Committee **agreed to move on to the next site allocation.**

West_02 Adjacent junction of B3180 and Bendarroch Road

Proposed use: Housing

Number of dwellings: 20

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

West_03 Rear of Hasta-La-Vista, Windmill Lane

Proposed use: Housing

Number of dwellings: 5

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

West_07 Land at Lower Broad Oak Road

Proposed use: Housing

Number of dwellings: 13

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

West_08 Land adjacent to Badgers Bend, Lower Broad Oak Road

Proposed use: Housing

Number of dwellings: 30

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

West_09 Land adjoining The Gap, Lower Broad Oak Road

Proposed use: Housing

Number of dwellings: 10

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

West_14 Pikes Farm

Proposed use: Housing

Number of dwellings: 46

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

West_15 Flower Cottage, Elsdon Lane

Proposed use: Housing

Number of dwellings: 12

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

West_16 Elsdon House, Elsdon Lane

Proposed use: Housing

Number of dwellings: 8

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

West_19 Field at Lower Broad Oak Road behind The Pygthle

Proposed use: Housing

Number of dwellings: 9

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

179 **Payhembury site selection report**

Payh_01 Slade Barton

Proposed use: Housing

Number of dwellings: 15

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation**

Payh_02 Behind playing fields EX14 3HR

Proposed use: Housing

Number of dwellings: 14

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation**

Payh_03 Markers Park

Proposed use: Housing

Number of dwellings: 50

Officer recommendation: in part Allocate Payh_03a with 15 dwellings

Viv Game advised the committee that the constraints on the site determined by the Council in 2002 had not changed; local sewage was still overwhelmed, and the site was outside the neighbourhood plan area. The site was diverse in wildlife, with a number of recorded species recorded on the site.

Cllr Tim Cox, representing Payhembury Parish Council, advised that to include the site would increase the village size by 12%. Existing sewage could not cope with that and the local school was both full and with a waiting list.

Ward Member Cllr Richard Jefferies highlighted the demands for class Q barn conversions and the continuing sewage issues.

The committee were shown a view of the site from the approach road. The 2022 assessment had related to a larger site, but for this consideration the site had been split, with one area being suitable for approximately 15 dwellings.

The committee discussed aspects, with a proposal to move on failing.

Cllr B Collins proposed, seconded by Cllr C Brown, to allocate the site Payh_03a. The Chair proposed to move on from site Payh_03b.

Committee **endorsed the recommendation to include Payh_03a for 15 dwellings in the site allocation.**

In considering Payh_03b, Committee **agreed to move on to the next site allocation.**

180 **Plymtree site selection report**

Plym_01 Fordmore Farm

Proposed use: Housing

Number of dwellings: 50

Officer recommendation: Not to allocate

Dan Roger of Bell Cornwall representing the landowner, stated that the southern side of the site could be allocated as that aspect was suitable and there were close local facilities.

Cllr Vellacott, representing Plymtree Parish Council, did not support the site on grounds of the scale and the adverse impact.

A proposal to move on was made by Cllr J Bailey, seconded by Cllr Davey

Committee **agreed to move on to the next site allocation**

Plym_03 Land north of school

Proposed use: Housing

Number of dwellings: 30

Officer recommendation: Allocate

Stephen Hobday spoke against allocation, outlining local road safety issues in detail; he also spoke on flooding risk and that the area could not support growth with the current infrastructure.

James Persey spoke in support as the Landowner and advised that the local school was not at capacity. He felt the access was sufficient.

Cllr Vellacott, representing Plymtree Parish Council, did not support the site due to the lack of supporting infrastructure, and the scale was too large.

Ward Member Cllr Jefferies made reference to single track lanes which made the site unsuitable, and he agreed with the Parish Council view that the scale was too large in proportion to the size of the village. He suggested that a smaller number of dwellings should be considered.

The committee discussed the merits of an allocation with a smaller dwelling number of approximately 15, but that this may need further assessment before being put forward for allocation.

The Chair proposed that the site Plym_03 be allocated for approximately 15 homes and that officers propose an appropriate reduced boundary.

Committee agreed to allocate site Plym_03 for approximately 15 homes and officers to revisit the site boundary and bring the site back.

Plym_04 Land north of recreation ground

Proposed use: Housing

Number of dwellings: 70

Officer recommendation: Not to allocate

Cllr Vellacott, representing Plymtree Parish Council, did not support the site due to the scale and impact on open countryside. The site acted as a divide between two communities and should be maintained.

A proposal to move on was made by Cllr Jung, seconded by Cllr Fernley

Committee agreed to move on to the next site allocation.

Plym_05 Land west of Village Hall

Proposed use: Housing

Number of dwellings: 43

Officer recommendation: Not to allocate

Cllr Vellacott, Plymtree Parish Council, did not support the site due to the proximity to the Manor House and the environmental impact on a green field site.

Committee agreed to move on to the next site allocation

Brhe_04 Causeway End

Proposed use: Housing
Number of dwellings: 8
Officer recommendation: Not to allocate

The committee discussed the relationship between this site and Brhe_09 and the strong argument needed for putting forward any site under National Landscape status.

Committee **agreed to move on to the next site allocation**

Brhe_05 The Old Orchard

Proposed use: Housing
Number of dwellings: 10
Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation**

Brhe_07 Land south of the Vicarage

Proposed use: Housing
Number of dwellings: 10
Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation**

Brhe_09 Land opposite Broadhembury Village Hall

Proposed use: Housing
Number of dwellings: 10
Officer recommendation: Allocate

Ward Member Cllr Jefferies highlighted to the committee the heritage assets and the close proximity to a conservation area. The site was the gateway to the village, with land rising away denoting the start of the National Landscape. The scale of the proposal was also too large for the village.

Members were shown the view from the road to help understand the site.

Cllr Jung proposed to include the site, seconded by Cllr Blakey.

Committee **endorsed the recommendation to include Brhe_09 in the site allocation**

182 **Feniton site selection report**

Otry_20 Land to south east of Bridge Cottages, Feniton

Proposed use: Employment land 4.64ha
Officer recommendation: Needs further consideration

Ward Member Cllr Johns sought clarity for the use of the site, as she was concerned that the whole site would end up being allocated for housing. She supported the employment element of the site.

Ward Member Cllr Faithfull had no objection to employment on the existing footprint of buildings on site, and did not support removal of the existing orchard.

The orchard on site was clarified as a fruit production orchard and would be removed if the site was developed.

Cllr Blakey proposed allocation of the site as mixed use; seconded by Cllr Howe.

Committee **recommended to include Otry_20 as a mixed use site in the site allocation.**

Feni_05 Land and buildings at Burland Mead

Proposed use: Housing

Number of dwellings: 42

Officer recommendation: Allocate

Ross Bowen, on behalf of the landowner, outlined the range of dwellings for the site, including an element of affordable housing. The site had not been used for horticultural purposes for two decades, and was subject to a current planning application.

Miles Butler, representing Feniton Parish Council, explained that the Parish was in support in principle, but not of the current application being considered due to the density of housing.

Cllr Howe proposed inclusion of the site, seconded by Cllr Levine.

Committee **endorsed the recommendation to include Feni_05 in the site allocation**

GH/ED/38 Sherwood Cross (including Feni_09 and Feni_11)

Proposed use: Housing

Number of dwellings: 225

Officer recommendation: Not to allocate

Miles Butler, representing Feniton Parish Council, outlined the previous finding of a planning enquiry that the site was not sustainable, and this had not changed since that finding in 2014. Local infrastructure and pressure on school capacity would not support the scale of the proposal. The site had previously been subject to an objection petition with over 500 signatures.

The Chair read out a statement by Wimpy Taylor in support of the site and the reasons why.

Cllr Jung informed the committee of the final part of the flood alleviation scheme in Feniton. He felt that this proposal would be unfair on the residents and was disproportionate in scale.

A proposal to move on was made by Cllr Jung, seconded by Cllr Hayward.

Committee **agreed to move on to the next site allocation**

Feni_14 Land off Ottery Road

Proposed use: Housing

Number of dwellings: 75

Officer recommendation: Not to allocate

Miles Butler, representing Feniton Parish Council, made reference to the outcome of an earlier planning enquiry and supported the recommendation not to allocate.

A proposal to move on was made by Cllr Howe, seconded by Cllr Hayward.

Committee **agreed to move on to the next site allocation.**

Feni_01 Land at Sherwood Farm

Proposed use: Housing

Number of dwellings: 46

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Feni_06 FPFA Club, Station Road

Proposed use: Housing

Number of dwellings: 30

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Feni_07 Lyndale

Proposed use: Housing

Number of dwellings: 60

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Feni_08 Land West of Beechwood , Station Road and Land East of Beechwood, Station Road

Proposed use: Housing

Number of dwellings: 83

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Feni_10 Westlades

Proposed use: Housing

Number of dwellings: 36

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Feni_13

Proposed use: Housing

Number of dwellings: 25

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Feni_15 Land off Ottery Road

Proposed use: Housing

Number of dwellings: 30

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

(a) **Local Plan Member Working Group - Note of Discussions Ottery St Mary and surrounds**

The committee noted this report for information.

(b) **Feedback on potential development sites at Ottery St Mary and surrounding area**

The committee noted this report for information.

183 **Proposed Housing and Employment Allocations - West End and surrounds**

The committee considered the site allocations for the West End and surrounding areas, as set out in the minutes below.

184 **Broadclyst site selection report**

Brcl_29 Broadclyst

Proposed use: Mixed

Number of dwellings: 24 and 0.1ha employment land

Officer recommendation: Allocate

Duncan Cherrett advised the committee of the growth of the village that had adversely impacted on the volume of water run-off and increases in flooding events. The road access was already busy at peak times, and to include this site would increase that pressure.

Dr Lorna Mason spoke on behalf of 50 residents. Accessibility to the site was not safe; the village could not support the growth proposed due to pressure on the GP surgery, the bottleneck of the road structure, and frequently waterlogged roads during the winter months, with flooding common adjacent to this site. She also objected to sites Brcl_12 on the same grounds.

Angie Hurrin, Clerk of Broadclyst Parish Council, asked the committee not to turn the village into a dormitory village. The proposal did not do enough to provide employment opportunity and was not sustainable; local infrastructure improvement was needed now before any further growth could be considered.

Ward Member Cllr Rylance outlined the infrastructure improvements needed to help residents now, and asked for conditions on sites upstream to better protect the existing residents. The village had tripled in size in ten years and did not have the infrastructure to support that growth.

Ward Member Paula Fernley also made reference to the single track road access that was inadequate.

The committee discussed the known flooding issues in the area with sympathy, but concluded that planning conditions at application stage was the place to address those issues.

The Chair proposed to include the site for allocation in light of other Tier 4 sites that had also taken allocations.

A proposal to allocate was made by Cllr Jung, seconded by Cllr Davey

Committee **endorsed the recommendation to include Brcl_29 in the site allocation**

Brcl_12 Land west of Whimple Road

Proposed use: Mixed

Number of dwellings: 70 dwellings and 0.54ha employment land

Officer recommendation: Allocate Brcl_12a; Not to allocate Brcl_12b

Dr Mason had made earlier points of objection during the previous site discussion.

Angie Hurrin, Clerk of Broadclyst Parish Council outlined alternatives for access through Brcl_29 rather than from Town End for this site. Again the Parish felt that the site was not sustainable in light of the need for infrastructure improvement needed now for the existing residents.

Ward Member Cllr Rylance raised the issue of the narrow road access and the need for mixed housing development to enable generational residency in the village.

The Chair proposed that the access be reviewed in order to utilise Brcl_12a to link up with Brcl_29 to come back to the committee to consider.

Committee **agreed to move on from both Brcl_12a and 12b to the next site allocation.**

Brcl_09 Land at Heathfield (south-east of Woodbury View)

Proposed use: Housing

Number of dwellings: 15

Officer recommendation: Not to allocate (as site has now been allocated through Policy H3 of the Broadclyst NP)

Angie Hurrin, Clerk of Broadclyst Parish Council reminded the committee of the relationship of the site with their Neighbourhood Plan.

Committee **agreed to move on to the next site allocation.**

Brcl_22 Land at Jarvis Hayes Farm Junction of B3181 and Sunnyfield

Proposed use: Housing

Number of dwellings: 20

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

185 **Westclyst site selection report**

Brcl_04 Land adjacent Poltimore Park, Poltimore

Proposed use: Housing

Number of dwellings: 8

Officer recommendation: Not to allocate

Angie Hurrin, Clerk to Broadclyst Parish Council, spoke in objection to the allocation of the site on the grounds of impact on Poltimore House and surrounding parkland's heritage value. The site was also a green wedge and required extensive mitigation for the ecological aspects of the site.

A proposal to move on was made by Cllr Bethany Collins, seconded by Cllr Fernley.

Committee **agreed to move on to the next site allocation.**

Polt_07 Land at West Clyst Poltimore

Proposed use: Housing

Number of dwellings: 200

Officer recommendation: Not to allocate

A proposal to move on was made by Cllr Bethany Collins, seconded by Cllr Olive.

Committee **agreed to move on to the next site allocation.**

186 **East of Exeter - Brcl_31 site selection report**

Brcl_31a and Brcl_31b Land at Mosshayne Lane, Pinhoe

Proposed use: Housing

Number of dwellings: 1000

Officer recommendation: Not to allocate

Nicola Sully of Pearce Planning, representing the developer promoting the site, outlined the benefits of allocating the site. This included opening up access to the Clyst Valley Park, providing affordable housing and additional facilities. Discussions were underway with Devon County Council on reaching agreement on a suitable access.

Angie Hurren, Clerk to Broadclyst Parish Council, told the committee that the site was not sustainable and did not provide new facilities. Any access to the site at the western corner was not desirable, and the impact on existing infrastructure was too adverse to support.

The Chair commented that there was no evidence at that time to support securement of an acceptable access to the site.

Committee **agreed to move on to the next site allocation**

187 **Employment site, Lodge Trading Estate, Station Road, Broadclyst site selection report**

Brcl_27 Lodge Trading Estate, Station Road, Broadclyst

Proposed use: Employment land 8.42 ha

Officer recommendation: Allocate 1.89 ha for employment land

Angie Hurren, Clerk for Broadclyst Parish Council, gave broad support for the allocation but did raise an issue of traffic impact in the area, particularly during school run times.

The committee discussed the site, including impact of lorries on Station Road and how the road layouts link to Cranbrook.

Cllr Fernley proposed to include the allocation of Brcl_27a, seconded by Cllr Blakey.

Committee **endorsed the recommendation to include Brcl_27a in the site allocation.**

In relation to Brcl_27b, committee **agreed to move on to the next site allocation.**

188 **Land North of Science Park site selection report**

Brcl_23 Land north of Science Park, Tithebarn Way

Proposed use: Mixed use; of which 2.37ha for employment land

Number of dwellings: 90

Officer recommendation: Allocate

The committee commented on the benefit to the local area of the employment land element as a sustainable mixed use site.

Cllr Fernley proposed inclusion of the site for allocation, seconded by the Chair.

Committee **endorsed the recommendation to include Brcl_23 in the site allocation.**

189 **Gypsy and Traveller Site, Langaton Lane site selection report**

Brcl_26 Land at Ash Piggery, Langaton Lane

Proposed use: Gypsy and Traveller accommodation, 1.38 ha

Officer recommendation: Allocate

Phil Wakely, from the 1st Pinhoe Scouts Group, outlined the extent of the local Scouts Group in this area and links with other related organisations, including frequency of meetings. He informed the committee of the popularity of the area for local people to visit, and the high level of pedestrians using the access road. The road was not suitable for the level of traffic. He advised that the site was unsuitable and asked the committee to reject the allocation.

Angie Hurren, Clerk to Broadclyst Parish Council, outlined the recognition of the need for an allocated site, but asked the Committee to consider the close proximity to the M5 and railway line, and how noise from those would be difficult to protect against for those vehicles or motor homes that would be on site. It was easier for housing to have a level of glazing installed to keep out the noise. The lane needs significant improvement and still needs good access for locals to visit the facilities. She concluded that it was unfair to expose this protected group to that level of noise pollution.

Ward Member Cllr Fernley advised the committee of the recreational use of Green Lane by walkers, as well as on a practical level to reach the station, surgery and other facilities. She did not support the allocation as she felt it would adversely impact the amenity value of the land, which would be put to better use as an extension of the country park. She then left the meeting for the debate and vote following her declaration of interest.

The committee discussed applying the same standards to a protected community as any other, in relation to potential noise pollution at the site. Equally the committee agreed that an allocation was required somewhere in the district and this proposal was the better option at that time. The site was also designed for a maximum of 15 pitches but these were not expected to be operating at a high turnover.

The committee asked if more detail from Environmental Health could be sought on the issue of potential noise pollution, but overall felt it appropriate to allocate the site.

Committee **endorsed the recommendation to include Brcl_26 in the site allocation**

190 **Adjournment**

The Chair adjourned the meeting due to the length of the meeting at that point, to be reconvened on Tuesday 1 October 2024 at 10am to consider the remaining items.

Attendance List

Councillors present:

- B Bailey
- J Bailey
- K Blakey
- C Brown
- B Collins
- O Davey
- P Fernley
- P Hayward
- M Howe (Vice-Chair)
- B Ingham
- G Jung
- Y Levine
- T Olive (Chair)

Councillors also present (for some or all the meeting)

- J Brown
- R Collins
- P Faithfull
- R Jefferies
- V Johns
- E Rylance

Officers in attendance:

- Matthew Dickins, Planning Policy Manager
- Ed Freeman, Assistant Director Planning Strategy and Development Management
- Keith Lane, Senior Planning Officer (Planning Policy)
- Debbie Meakin, Democratic Services Officer
- Claire Rodway, Senior Planning Officer

Councillor apologies:

- H Parr

Chair

Date:

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Strategic Planning Committee held at Council Chamber, Blackdown House, Honiton on 1 October 2024

Attendance list at end of document

The meeting started at 10.00 am and ended at 12.51 pm

191 Declarations

Minute 198: Cllr M Howe: Affects & prejudicial NRI in relation to site Sowt_09; and Affects NRI for remaining sites in Clyst Sy Mary area: Owner of village store.

Minute 199: Cllr T Olive: Affects & prejudicial NRI for site whim_11.

192 8e Poltimore Employment site selection report

Polt_04 Land at Poltimore Barton Poltimore

Proposed use: Employment/service station 34.2ha

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Polt_06 Land at Poltimore/Broadclyst

Proposed use: Employment/service station 45.2 ha

Officer recommendation: Not to allocate

Angie Hurrin, Clerk to Broadclyst Parish Council, spoke to oppose the allocation of the site, on grounds of adverse harm to the village and surrounding landscape. She outlined the heritage setting of the site, including proximity to the Killerton Estate and the Grade 1 listed church, and Poltimore House.

Ward Member Cllr Rylance also opposed the site allocation on grounds of any development being visible to the surrounding area, and the close proximity of the site to the river and amenity land.

The committee discussed the impact of the setting and the designation of an element of the site for the Clyst Valley Regional Park.

Committee **agreed to move on to the next site allocation.**

193 8i Employment Land South East of Exeter Airport site selection report

Farr_01 Wares Farm, Clyst Honiton (south of A30)

Proposed use: Employment land 1 ha

Officer recommendation: Allocate

Ward Member Cllr Rylance spoke in support of the allocation of the site.

It was proposed by the Chair to include Farr_01 in the site allocation.

Committee **endorsed the recommendation to include Farr_01 in the site allocation.**

Rock_09 Land at Harrier Court, Clyst Honiton

Proposed use: Employment land 5.8 ha

Officer recommendation: Allocate part site Rock_09a 3.3ha to the south of Long Lane

It was proposed from the Chair to support the split of the site and allocate Rock_09a.

Committee **endorsed the recommendation to include Rock_09a in the site allocation.**

Committee **agreed to move on to the next site allocation** in considering Rock_09b.

GH/ED/43 Land north of Long Lane, adjacent to airport

Proposed use: Employment land 11.8 ha

Officer recommendation: Allocate

Ward Member Cllr Rylance spoke in support and made reference to consultation with local stakeholders.

It was proposed by the Chair to include the site for allocation

Committee **endorsed the recommendation to include GH/ED/43 in the site allocation.**

GH/ED/44 Land adjacent to Exeter Airport, Long Lane

Proposed use: Employment land 7.32 ha

Officer recommendation: Allocate (already subject to Local Development Order)

It was proposed by the Chair to include the site for allocation

Committee **endorsed the recommendation to include GH/ED/44 in the site allocation.**

GH/ED/45 Land south of Long Lane, adjacent to airport

Proposed use: Employment land 9.24 ha

Officer recommendation: Allocate

It was proposed by the Chair to include the site for allocation

Committee **endorsed the recommendation to include GH/ED/45 in the site allocation.**

194 **8f Employment Site, Venn's Farm, Sowton site selection report**

GH/ED/66 Land at Venn's Farm, Sowton

Proposed use: Employment land 19.29ha

Officer recommendation: Not to allocate

Jo O'Donnell spoke against the allocation of the site, on grounds of the adverse impact to the area. Local roads were often flooded and any development was expected to increase flooding. She also asked how much weight was put on considering the conservation area when making an assessment of sites.

Cllr Galloway, representing the local parish, also advised that the site should not be allocated. Sowton Lane was narrow and unsuitable for heavy vehicle traffic; and the footpath and bus stop were not close to the site. He also advised about local flooding that would only increase.

Claire Alers-Hankey, agent for the promoter, advised the committee of the assessment of the site and advised that the issues with it were not insurmountable. The promoter was aware of the heritage sensitivity, but there were good connections for commercial traffic and Devon County Council were content with the highway improvements that would be undertaken to deliver the site.

Ward Member Cllr Howe advised the committee that, leaving aside the impact to the green wedge, there was still availability for businesses at the Science Park and therefore an allocation on this site was not required.

Committee **agreed to move on to the next site allocation.**

195 **8j Employment Land South of Langdon Business Park site selection report**

Sowt_15 Langdon Business Park, Sidmouth Road, Clyst St Mary

Proposed use: Employment land 9.05ha

Officer recommendation: Allocate part of site, Sowt_15a to the west of site

The Chair proposed inclusion of Sowt_15a for allocation, and to move on from Sowt_15b.

Committee **endorsed the recommendation to include Sowt_15a in the site allocation.**

Committee **agreed to move on to the next site allocation** in considering site Sowt_15b.

196 **8k Darts Farm and Business Park Employment Sites site selection report**

Clge_23 Darts Farm

Proposed use: Employment land 3.3ha

Officer recommendation: Allocate part of site, Clge_23a (to the north east of site)

Iestyn John of Bell Cornwall, representing the owners of the site, requested allocation of both Clge_23a and Clge_23b, along with Clge_25 to enable the expansion of the successful business park. He outlined the scale of the business park currently, with demand for additional space. The site had good transport links. Part of Clge_25 could have screening if that helped with visibility from the surrounding area.

Cllr Manser of Cyst St George Parish Council agreed with the officer recommendations. There would be an issue for access to Clge_25 through the existing Darts Farm car park and felt that may be unsafe for pedestrians. An alternative access could be off the roundabout at the north, but this was already congested on a frequent basis. He also

commented on Clge_40 where he advised the access was not acceptable and would take valuable grade 1 agricultural land.

Committee **endorsed the recommendation to include Clge_23a in the site allocation.**

Committee **agreed to move on to the next site allocation** in considering Clge_23b.

Clge_25 Land adjoining Darts Farm

Proposed use: Employment land 4.51ha

Officer recommendation: Not to allocate

Committee discussed if the site could be reviewed to see if a section of the site could be feasible for employment land, despite no natural boundary.

Cllr Howe proposed, seconded by Cllr Levine, to request the site be reviewed and brought back for consideration.

Committee **agreed to bring back Clge_25 for review, and move on to the next site allocation.**

Clge_39 Land south of Old Ebford Lane, Ebford

Proposed use: Employment land 2.77ha

Officer recommendation: Not to allocate

Cllr Manser reiterated concerns about the narrow lane, and that it was a private road not adopted by the highways authority.

Committee **agreed to move on to the next site allocation.**

Clge_40 Land south of Topsham Road, Clyst St George

Proposed use: Employment land 3.34ha

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

197 **8I Development next to the M5 and north of Topsham site selection report**

Development next to M5 and north of Topsham, Clyst Road, Sandygate, Exeter

Proposed use: Mixed, including 2.4ha employment land

Number of dwellings: 510

Officer recommendation: Allocate

Stuart Houlet of PCL Planning on behalf of the landowner, described the site as a logical extension to Exeter. The site could accommodate a mixed use which would include affordable housing. Due to the proximity of the M5 the site had good travel links. A masterplan for the site, in conjunction with Clge_24, would provide a development with links to facilities.

Cllr Manser of Clyst St George Parish Council, described the site as being an orphaned development, with no link to Clyst St Mary. Rydon Lane was narrow and one way traffic;

Clyst Road into Topsham was single track with no footpath. Access to the bus stop and facilities was too far away to be sustainable. He felt the site allocation should be rejected.

The committee were shown the site in relation to existing settlements, and the Exeter proposed allocations on the other side of the district boundary to this site. The site was accepted as linear, with facilities being reached either towards Exeter or to Topsham. A partnership approach was needed with Exeter and their allocations. A masterplan would be required, with consideration of north and south cycle/foot paths and could include and support a primary school and a community hall.

Ward Member Cllr Howe felt that any dwellings in the centre of the linear site may struggle to access facilities.

The committee discussed the need for masterplanning, working with Exeter City Council. It could include opening access to the Clyst Valley flood plain to make into a country park. Rydon Lane limitations were highlighted, and if enough CIL contributions could be generated to fund such a level of infrastructure.

The committee were advised that Exeter City Council were at a similar stage of production of their Local Plan, and that they could confer with them to agree a degree of policy wording to link the sites across the boundary. Committee considered inclusion of Clge_20 and Clge_24a with this site as one allocation. This was proposed by the Chair but fell at the vote.

Committee discussed a further review of the site, in conjunction with Clge_20 and Clge_24a, be undertaken and brought back for further consideration.

Committee requested that a review of site N_Topsham (Development next to M5 and north of Topsham, Clyst Road, Sandygate, Exeter), in conjunction with Clge_20 and Clge_24a, be undertaken and brought back to committee; and agreed to move on to the next site allocation.

Clge_20 East of Clyst Road, Topsham

Proposed use: Housing

Number of dwellings: 46

Officer recommendation: Allocate

This site was included for consideration with site N_Topsham.

Clge_24 Clyst Road, Topsham

Proposed use: Housing

Number of dwellings: 72

Officer recommendation: Allocate part site Clge_24a

This site, Clge_24a, was included for consideration with site NTopsham.

In respect of **Clge_24b**, Committee **agreed to move on to the next site allocation.**

Clge_08 Land at Newcourt Barton, Clyst St Mary

Proposed use: Housing

Number of dwellings: 44

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Clge_07 Land adjacent Martins of Exeter Ltd, Clyst Road, Sandygate

Proposed use: Employment land 0.7ha

Officer recommendation: Allocate

Cllr Manser of Clyst St George Parish Council, advised the committee that the site was already partly in use, so had no objection.

Ward Member Cllr Howe disagreed with the officer recommendation to allocate, due to the site being elevated above the existing caravan park and therefore any development on it would have an adverse visual impact.

His proposal to move on from the allocation, seconded by Cllr J Bailey, fell.

Cllr Davey proposed the site for allocation, seconded by Cllr C Brown.

Committee **endorsed the recommendation to include Clge_07 in the site allocation.**

198 **8m Clyst St Mary site selection report**

Cllr Peter Cain, representing Bishops Clyst Parish Council, advised the committee of their work in reviewing the Neighbourhood Plan for the parish, and have now completed a Regulation 14 consultation which regulates their proposals.

The Neighbourhood Plan identifies allocation of sites Sowt_03 and a part of Sowt_11 that is adjacent to Sowt_03, that would deliver 70 + houses available now, and includes design of an infrastructure plan that would benefit the local community now and in the future. The Neighbourhood Plan allows expansion for the village in the future, as well as existing traffic congestion in the village, and would not impact on the existing drainage issues in the lower end of the village. He advised that the current officer proposals would only increase traffic congestion and make worse the drainage issue. Their Neighbourhood Plan also includes a cycleway around Clyst St Mary, allowing access to other areas easily, and deliverable in a shorter time than the officer recommendations would.

In response, the Assistant Director for Planning advised the committee that officers had met with the Parish Council, and that they were in a unique position in having allocations as part of their Neighbourhood Plan and their plan being at a very advanced stage. It was important that the Local Plan did not undermine the Neighbourhood Plan.

Disagreement rested on the use of site Sowt_11 and how that links up with Sowt_03, with the reason for not allocation Sowt_11 being the adverse visual impact on the Bishops Court Road rural nature, where it is largely open countryside at that point. Assessment had concluded that Sowt_09 was more centrally located and therefore on balance, a better context to add to the village. He advised Members that there was a live planning application on Sowt_09, so there was the risk that this site could end up with consent, despite the Neighbourhood Plan being in place.

Given the advanced stage that the neighbourhood plan had progressed to and the allocations within it as well as the risk that the allocations proposed by officers would undermine the community benefits that the neighbourhood plan was seeking to achieve, the Assistant Director recommended that Members do not make any allocations at Clyst

St Mary. Instead it was recommended that the Designated Neighbourhood Area Housing Requirement figure be amended by an additional 72 homes to reflect the allocations previously proposed by officers thereby giving the community the choice about where these homes are accommodated through the Neighbourhood Plan.

Committee agreed to hear from all other registered speakers for the sites in this area before debate and recommendation on the sites.

Sowt_03 Land north of Sidmouth Road, Clyst St Mary

Proposed use: Housing

Number of dwellings: 37

Officer recommendation: Allocate

Oliver Keats, of Core Strategic Land Ltd, outlined the reasons for including this site for allocation, including sustainability and good access. The site also had the backing of the Neighbourhood Plan. There had been positive pre-planning discussions, and there were no technical reasons to prevent development.

Sowt_09 Bishops Court Lane, Clyst St Mary

Proposed use: Housing

Number of dwellings: 35

Officer recommendation: Allocate

Stuart Houlet, representing the promoter 3West, advised that the site was available and technically deliverable, with support from South West Water and Devon County Council. The site was currently subject to a live planning application for 37 houses.

Sowt_11 Land at Bishops Court Lane, Clyst St Mary

Proposed use: Housing

Number of dwellings: 161

Officer recommendation: Not to allocate

Iestyn John of Bell Cornwell spoke in support of allocation of a section of Sowt_11 next to Sowt_03 as referenced by the Parish Council. He felt that the site would work as one site and deliver a connection road which would alleviate the current rat run used through the village. The site taken as a whole would also deliver a cycle route. A single scheme across Sowt_03 and part of Sowt_11 would be preferable.

Ward Member Mike Howe spoke in relation to the site allocations, and reminded Members that the emerging Neighbourhood Plan is important and delivers more homes than the officer recommendation was looking to achieve. To vote against the Neighbourhood Plan would be detrimental to many parties. Following the Neighbourhood Plan could deliver good development with improvements to access and Clyst Valley Trail.

Sowt_01 Land at Bishops Court Lane, Clyst St Mary

Proposed use: Housing

Number of dwellings: 107

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Sowt_02 Land south of Bishops Court Road, Clyst St Mary

Proposed use: Housing
Number of dwellings: 64
Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Sowt_03 Land north of Sidmouth Road, Clyst St Mary

Committee **agreed to move on to the next site allocation.**

Sowt_11 Land at Bishops Court Lane, Clyst St Mary

Committee **agreed to move on to the next site allocation.**

Sowt_09 Bishops Court Lane, Clyst St Mary

Committee **agreed to move on to the next site allocation.**

(Cllr Howe left the room for the debate and vote on this site due to his declaration)

The Chair proposed to amend the Designated Neighbourhood Area Housing Requirement for Clyst St Mary including an additional 72 homes.

Committee **agreed to amend the Designated Neighbourhood Area Housing Requirement for Clyst St Mary including an additional 72 homes.**

199 **8n Whimble site selection report**

Councillor Olive stepped down from the Chair for this item due to his role as Ward Member. Councillor Mike Howe took the role of Chair.

A statement was read out on behalf of Whimble Parish Council.

In respect of Whim_11 specifically, the Parish Council advised that the infrastructure of the village is not conducive to additional development; that the village should remain separate from Cranbrook and for no further land between the settlements to be developed. The statement detailed specifics on the site, including:

- The site contains a number of mature trees several of which have existing TPOs. The tree in middle of old cricket pitch is unique, mentioned in Wisden and should be preserved as of historic importance;
- Site is Woodland Priority Habitat and Woodland Improvement Area, Priority Habitat (woodland and orchard), and a national habitat and network enhancement zone 1;
- Already subject to (partial) flooding (confirmed by the Environment Agency), and any development would run the risk of adding to this with impact both on the site and further downstream;
- Unsafe access and no capacity for footpath.

In respect of Whimble more generally, the statement set out that the Parish Council agreed that none of the other sites considered are suitable for development in Whimble, for reasons of falling into the Whimble Critical Drainage Area; increased flood risk; lack of open space in village; sewerage at capacity; increase in traffic on narrow roads; loss of rural character and loss of historic orchards.

Owners of the land alongside Church Road (exiting the village) have indicated that this land would be available for development. While EDDC have rejected this site Whimble

Parish Council think that this should be reconsidered as not only would it not add to the congestion in the village but would also enable the creation of a footpath along this road that pedestrians have to use in order to access bus services.

Whim_03 Land to the south of Grove Road

Proposed use: Housing
Number of dwellings: 72
Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Whim_04 Hits Farmhouse, Lilypond Lane

Proposed use: Housing
Number of dwellings: 21
Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Whim_07 Broadclyst Road

Proposed use: Housing
Number of dwellings: 10
Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Whim_08 West of Church Road and Bramley Gardens

Proposed use: Housing
Number of dwellings: 178
Officer recommendation: Not to allocate

Simon Coles of Carney Sweeney outlined that the site is within a Tier 4 settlement, was highly sustainable due to the range of services available. Drainage could be mitigated and the site should be included for allocation.

Ward Member Cllr Olive outlined to the committee the inadequate bus service; and that the site was not connected to the village with a safe pedestrian route. The site itself was positive for development but the site was in a Critical Drainage Area – a river running through the site. The site also had part designation for the Clyst Valley Park due to the historical orchard.

Committee **agreed to move on to the next site allocation**

Whim_09 Junction of Church Road and Woodhayes Lane

Proposed use: Housing
Number of dwellings: 45
Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Whim_10 Land adjoining Woodhayes Country House, Woodhayes Lane

Proposed use: Housing
Number of dwellings: 17
Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Whim_13 Land north side of Grove Road

Proposed use: Housing

Number of dwellings: 108

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Whim_14 Land at Perriton Barton

Proposed use: Housing

Number of dwellings: 46

Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

Whim_11 Station Road

Proposed use: Housing

Number of dwellings: 33

Officer recommendation: Allocate

Simon Coles of Carney Sweeney agreed with the officer recommendation to allocate; and made reference to the benefit of the local community in respect of the affordable housing element. Existing trees could be incorporated into the site design.

Ward Member Cllr Olive advised the committee of the value of the tree in the centre of the site. He outlined local responses to consultation, and commented that on balance from the responses, the local community felt the site was sustainable. He did not voice either support or objection to the site being included for allocation.

(Cllr Olive left the room for the debate and vote at this point)

Committee **endorsed the recommendation to include Whim_11 in the site allocation.**

200 **8o West End and surrounds Local Plan Member Working Group note of discussions**

Information noted.

201 **8p Feedback on potential development sites at and around the West End in respect of Green Wedge designation and further potential development land**

Information noted.

Attendance List

Councillors present:

B Bailey

J Bailey

C Brown
O Davey
M Howe (Vice-Chair)
G Jung
Y Levine
T Olive (Chair)
H Parr

Councillors also present (for some or all the meeting)

J Brown
R Collins

Officers in attendance:

Matthew Dickins, Planning Policy Manager
Ed Freeman, Assistant Director Planning Strategy and Development Management
Damian Hunter, Planning Solicitor
Debbie Meakin, Democratic Services Officer
Claire Rodway, Senior Planning Officer

Councillor apologies:

K Blakey
B Collins
P Fernley
P Hayward

Chair

Date:



Report to: Strategic Planning Committee

Date of Meeting Wednesday 23 October 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Settlement hierarchy – Upottery and Woodbury Salterton

Report summary:

This report considers the settlement hierarchy in the emerging Local Plan in relation to Upottery and Woodbury Salterton, as raised in recent discussions at the Local Plan Member Working Group and Strategic Planning Committee. Whilst it is acknowledged that these settlements have several facilities and services as well as a relatively high employment density, they are missing a shop – a key day-to-day facility – which makes them less sustainable places to live and to locate new development.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That Strategic Planning Committee agree that Upottery and Woodbury Salterton continue to not be designated as service villages (Tier 4) within the settlement hierarchy in the publication draft Local Plan.

Reason for recommendation:

Upottery and Woodbury Salterton do not have a sufficient level of facilities to be considered as service villages in the emerging Local Plan (tier four in the settlement hierarchy).

Officer: Ed Freeman – Assistant Director, Planning Strategy and Development Management, e-mail – efreeman@eastdevon.gov.uk, Tel 01395 517519

Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Communications and Democracy
- Economy
- Finance and Assets
- Strategic Planning
- Sustainable Homes and Communities
- Culture, Leisure, Sport and Tourism

Equalities impact Low Impact

Climate change Low Impact

Risk: High Risk; The local plan needs to progress in a timely manner if it is to meet potential Government deadlines for plan preparation. That said there are unknowns over final deadlines that may be set by the Government and as of when they may issue new policy. The government had previously indicated that plans may proceed under the existing NPPF and what are comparatively lower housing numbers if they reach Regulation 19 stage of plan making (plan consultation) within one month of a new NPPF being published. It is unknown if this timing ruling may stay in place, or not, or when a new NPPF may be published.

Links to background information [The Role and Function of Settlements](#) ; [SPC minutes 05.10.21](#); [Settlement Hierarchy report and minutes, SPC 08.03.22](#); [Local Plan Member Working Group – Note of Discussions Honiton and surrounds – 2 August 2024](#)

Link to [Council Plan](#)

Priorities (check which apply)

- A supported and engaged community
- Carbon neutrality and ecological recovery
- Resilient economy that supports local business
- Financially secure and improving quality of services

Report in full

1. Introduction

- 1.1 This report considers the settlement hierarchy in the emerging Local Plan in relation to Upton and Woodbury Salterton. In recent discussions at the Local Plan Member Working Group and Strategic Planning Committee (SPC), these settlements have been suggested as having sufficient population, jobs and facilities to be included as service villages (Tier Four in the settlement hierarchy). This report seeks to respond to requests that this issue be discussed by the committee.
- 1.2 The Role and Function of Settlements report is the key piece of evidence that has informed the settlement hierarchy and was discussed and approved at SPC in October 2021. By way of a brief reminder, the main purpose of The Role and Function of Settlements report is to build up a picture of the settlements in East Devon, and how they relate to each other – i.e. their role and function. Settlements are grouped together and placed in tiers where they share similar characteristics, known as the “settlement hierarchy”. Those places with a higher population and a greater range of jobs, community facilities, better transport and connectivity links, serving a wide area, will be placed at the top of the settlement hierarchy. Other, smaller settlements with fewer jobs and a smaller range of facilities, perform a more local but still important role and will be grouped lower down the hierarchy.
- 1.3 Identifying the settlement hierarchy sets the context for the spatial strategy which seeks to locate development in the most sustainable places, focussing development on locations which are or can be made sustainable through limiting the need to travel and offering a genuine choice of transport modes.

2. Consideration of Upottery and Woodbury Salterton as ‘service villages’

- 2.1 At SPC in February 2022, Members resolved that they wished to include more settlements within Tier Four of the settlement hierarchy (‘service villages’). At SPC, 8 March 2022, two options were presented to Members. Option 1 considered Colyford, Rockbeare, Upottery, and Woodbury Salterton as the next most sustainable settlements, although it was noted they are missing some key day-to-day facilities – there is no shop in Upottery, Woodbury Salterton or Rockbeare; and Colyford does not have a primary school. Option 2 contained a further eight settlements that had comparable levels of facilities, but again were missing key day-to-day facilities.
- 2.2 Ultimately, Members agreed with the Officer recommendation that neither of these options are appropriate and no further settlements should be added to Tier Four. The other settlements that were considered are less sustainable locations to accommodate growth.
- 2.3 Whilst it is acknowledged that Upottery and Woodbury Salterton have several facilities and services as well as a relatively high employment density, they are missing some key day-to-day facilities. The key missing facility at both Upottery and Woodbury Salterton is a shop. This means that residents have to travel elsewhere to purchase even basic provisions, making them less sustainable places to live. Notes of the Local Plan Member Working Group highlight that the pub in Upottery also serves as a shop – whilst this happened during Covid-19 restrictions, this is no longer the case.
- 2.4 In addition, Upottery does not have any ‘strategic’ facilities unlike the current Service Villages; whilst Woodbury Salterton lacks facilities such as a sports playing pitch, and allotment as well.
- 2.5 It is important to note that the exclusion from Tier Four does not preclude development at these settlements. A modest level of growth can come forward through community-led development in a neighbourhood plan or as a rural exception site, where justified.
- 2.6 Making changes to the settlement hierarchy at this late stage will also delay preparation of the Regulation 19 Publication Draft Local Plan, as it will mean that Officers will need to assess and consider sites for allocation at any extra Tier Four settlements, and then these will need to be brought to SPC to consider. These sites have previously been sifted out as being unsuitable places for development as they are not within a sustainable location.

3. Conclusion

- 3.1 It remains the case that Upottery and Woodbury Salterton do not have a sufficient level of population, jobs and facilities to be included as service villages in the emerging Local Plan (tier four in the settlement hierarchy). If Members wish to lower the threshold for settlements to be considered as a service village to include Upottery and Woodbury Salterton, for consistency Colyford and Rockbeare should also be added (noting that these settlements are missing a primary school and shop, respectively). However, this is not recommended as these settlements are missing key facilities; and changing the approach at this late stage is likely to delay preparation of the Publication Draft Local Plan. It should also be noted that the committee resolved not to include these settlements in tier 4 of the settlement hierarchy in 2022 and nothing has changed to justify revisiting that decision.

Financial implications:

Officer time associated in producing this report have been covered within existing budgets. Making changes to the settlement hierarchy will mean that Officers incur further time and possible consultancy which will add to the cost of preparing the of the Regulation 19 Publication Draft Local Plan. There are no other specific financial implications regarding the Council's finances on which to comment.

Legal implications:

Making changes to the settlement hierarchy will require Officers to assess and consider sites for allocation at any extra Tier Four settlements and then bring these sites to SPC to consider which will delay the preparation of the Regulation 19 Publication Draft Local Plan. There are no other specific legal implications requiring comment (002533/23 October 2024/DH).

Report to: Strategic Planning Committee



Date of Meeting Wednesday 23 October 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Gypsy and Traveller Provision

Report summary:

This report explains how the need for accommodation for Gypsies and Travellers in the emerging Local Plan has been assessed and how it is proposed to meet that need.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That Strategic Planning Committee:

1. Agree that the Gypsy and Traveller Accommodation Assessment (September 2024) be used as the basis for calculating need in the Publication Draft Local Plan and note the findings of the study;
2. Note that the identified need will be met through the previously agreed allocations as set out in section 3 of the report.

Reason for recommendation:

The Gypsy and Traveller Accommodation Assessment provides robust and proportionate evidence to ensure that the Council is able to make appropriate provision for the needs of Gypsies and Travellers in the Local Plan

Officer: Ed Freeman – Assistant Director, Planning Strategy and Development Management, e-mail – efreeman@eastdevon.gov.uk, Tel 01395 517519

Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Communications and Democracy
- Economy
- Finance and Assets
- Strategic Planning
- Sustainable Homes and Communities
- Culture, Leisure, Sport and Tourism

Equalities impact Low Impact

The impact of the assessment is low as it will provide evidence to ensure that the needs of Gypsies and Travellers are met. As a Group with a protected characteristic under the Equalities legislation there is potential for a High Impact if the particular needs of Gypsies and Travellers is not appropriately assessed or planned for, however the whole Local Plan will be subject to an Equalities Impact Assessment to ensure that the Council meets its duty.

Climate change Low Impact

Risk: High Risk; The local plan needs to progress in a timely manner if it is to meet potential Government deadlines for plan preparation. That said there are unknowns over final deadlines that may be set by the Government and as of when they may issue new policy. The government had previously indicated that plans may proceed under the existing NPPF and what are comparatively lower housing numbers if they reach Regulation 19 stage of plan making (plan consultation) within one month of a new NPPF being published. It is unknown if this timing ruling may stay in place, or not, or when a new NPPF may be published.

Links to background information [East Devon Gypsy and Traveller Accommodation Assessment September 2024](#)

Link to [Council Plan](#)

Priorities (check which apply)

- A supported and engaged community
- Carbon neutrality and ecological recovery
- Resilient economy that supports local business
- Financially secure and improving quality of services

Report in full

1. Introduction

- 1.1 National planning policy requires us to assess the accommodation needs of Gypsies, Travellers and Travelling Showpeople and to set pitch and plot targets for them that address their likely permanent and transit site accommodation needs.
- 1.2 Work to assess the housing needs of Gypsies, Travellers and Travelling Showpeople was commissioned by the partner authorities of East Devon, Exeter, Mid Devon and Teignbridge. The consultants, Opinion Research Services (ORS), completed a Gypsy and Traveller Accommodation Needs Assessment (referred to as a GTAA) in September 2024 [East Devon Gypsy and Traveller Accommodation Assessment September 2024](#). This forecasts need for the period 2024-2045 and is the main source of evidence for this topic.
- 1.3 The purpose of the GTAA is to provide a robust assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation in East Devon. The GTAA forms part of the evidence base used to inform the preparation of the Publication version of the new local plan for the district and also as a technical document that can be used to help inform planning applications for gypsy, traveller and travelling showpeople sites that are submitted to the Council for determination and the decisions made on these. This GTAA replaces a previous GTAA completed in 2015 and the findings of that study. It should be noted that much of the need identified in that earlier study remained unmet when the new study was undertaken despite extensive efforts to identify, purchase or otherwise bring sites forward by the Council. Just one household in that study was financially able to purchase their own pitch, all other need would need to be met through a registered social landlord. This unmet need has been taken into account in calculating the current need figure but the latest GTAA does not take account of affordability and it is very

likely that many of the households will still not be able to purchase their own pitches. Our previous experience demonstrates how difficult it is to identify and bring sites forward unless they are allocated in a Local Plan.

1.4 Evidence in the GTAA 2024¹ establishes that there are existing pitches distributed throughout East Devon, mainly concentrated in western areas, close to main travel routes, particularly the A30. Most of the immediate need arises from overcrowding of, and newly formed families (usually children reaching maturity and having their own children), on existing sites who wish to stay close to their extended family.

2.0 Assessed needs for Gypsy and Traveller pitches

2.1 The GTAA has found that:

2.2 Transit Provision- The GTAA does not identify a specific need for a transit site, or indicate a preferred scale of provision or location within the 4 Districts. Instead, it recommends making temporary or 'negotiated' stopping places available at times of increased demand such as fairs or cultural festivals. It is recommended that the authorities jointly monitor and manage unauthorised encampments and work collectively to consider a joint protocol for addressing transit need, and the potential for permanent public transit provision.

2.3 Permanent Provision- The GTAA shows that in the period up to 2045 there is a need for :

- **20 pitches for households that met the planning definition**. This is made up of 1 household on an unauthorised development; 8 concealed or doubled-up households or single adults; 3 pitches from a 5-year need from teenage children; and 8 from new household formation, using a rate of 1.20% derived from the household demographics.
- **Up to 8 pitches for undetermined households**. This is made up of 4 households on unauthorised developments; and 4 from new household formation, derived from the household demographics using the ORS national formation rate of 1.50%.
- **4 pitches for households that do not meet the planning definition (but are recognised as 'cultural' Gypsies or Travellers)**. This is made up of 1 household on an unauthorised development; 1 concealed or doubled-up household or single adult; and 2 from a 5-year need for teenage children. There is no need from new household formation as there are no children under the age of 13.
- **0 (new) plots for Travelling Showpeople**

2.4 In general terms the need identified in a GTAA is seen as a need for pitches. The now withdrawn Government Guidance on Designing Gypsy and Traveller Sites recommended that, as a general guide, an average family pitch must be capable of accommodating an amenity building, a large trailer and touring caravan, parking space for two vehicles and a small garden area.

2.5 Households who do not travel or do not travel for work now fall outside of the planning definition of a Traveller. However Romany Gypsies, Irish and Scottish Travellers may have a right to culturally appropriate accommodation under the Equality Act (2010) as a result of their protected characteristics. In addition, provisions set out in the Housing and Planning Act (2016) now include a duty for local authorities to consider the needs of people living in, or

¹ [East Devon Gypsy and Traveller Accommodation Assessment September 2024](#)

wishing to live in, caravans. Draft Guidance related to this section of the Act has been published setting out how the government want local housing authorities to undertake this assessment and it is the same as the GTAA assessment process. The implication is therefore that the housing needs of any Gypsy and Traveller households who do not meet the planning definition of a Traveller will be assessed as part of the wider housing needs of the area and will form a subset of the wider need arising from households residing in caravans. This is echoed in the NPPF (2023).

- 2.6 The drawback of this approach is that, whilst the assessment process is the same, experience suggests that including Traveller needs as part of the wider housing need for those living in caravans is unlikely to satisfactorily deliver sufficient pitches to meet the cultural housing needs of Gypsy and Traveller households who do not meet the planning definition of a Traveller. S149 of the Equalities Act 2010 requires public authority decision makers to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between those with a protected characteristic and other parts of the community. This is commonly called the “public sector equality duty” (PSED). This may involve treating some persons more favourably than others, for example by permitting them to live in areas, or in accommodation types, which would not usually be allowed. Previous experience of delivering pitches identified through the GTAA shows that very few pitches are delivered through private enterprise, without local authority support and intervention the Council may fail in its legal duty if insufficient pitches are made available to meet the cultural need.
- 2.7 There is also a duty of inquiry inherent in the PSED. Decision makers cannot simply ignore information which they do not possess; they must take reasonable steps to acquire that information. In producing the GTAA, the consultants visited pitches, or attempted interviews, 3 times before recording the occupants as undetermined households. This is considered to be a reasonable approach, however by their nature many Travellers are away for periods of time and so it can be more difficult to achieve a high response rate especially if visits are close together. Decision makers may therefore feel it is appropriate to err on the side of caution when considering the needs of these undetermined households.
- 2.8 It is therefore proposed to allocate sufficient pitches in the emerging Local Plan to meet all of the potential need- from those who meet the definition, those who are undetermined and those who don't meet the definition- and include a small amount of headroom to allow for unforeseen delays in delivery. This approach to allocating pitches recognises that, whilst some Gypsies and Travellers do not meet the planning definition (for example because they have ceased to travel), they have the right to live in a way which is culturally appropriate. Sufficient pitches have therefore been proposed for allocation to ensure that all of the potential need for pitches is met. Planning conditions will be imposed to restrict occupancy to Gypsies and Travellers only to ensure that pitches are occupied and retained in perpetuity for such use and do not become part of the general housing supply. This will also ensure that, if any undetermined households cannot provide satisfactory evidence that they are culturally Gypsies/Travellers, they will not qualify for a pitch.

3.0 Meeting the Need

- 3.1 Allocations - Sites providing pitches for gypsy and traveller and travelling show people use are allocated in the development plan. The **Cranbrook local plan provides for 15 pitches** on the Cobdens and Treasbeare Expansion Areas in 2 site allocations. These sites will contribute to supply in the plan period and enable families on the overcrowded Sowton and Broadclyst sites (as well as others) to remain living locally as family groups. The legal

agreement provides evidence that there is a realistic prospect of delivery in the next 5 years so the Council will count them as deliverable for the purposes of the 5 year supply assessment required by NPPF.

- 3.2 **An allocation at the new community (proposed in the Local Plan) will provide 15 pitches**, although delivery is unlikely to commence until the middle of the Plan period. Land for a further 15 pitches will be safeguarded beyond the plan period to meet all/some of the likely future need beyond that period but this future supply doesn't count towards the need identified in the GTAA.
- 3.3 **A further site, east of the M5 and south of the Exeter-Waterloo line is allocated for at least 5 pitches.** These could be delivered in the short to medium term and will ensure that there is sufficient supply if provision at the new community is delayed.
- 3.4 A site at Musbury was previously considered as a potential location for a site for New Travellers and was being considered through a development brief for the site. This site is subject to landscape, heritage and ecological constraints and is no longer considered to be appropriate or necessary.
- 3.5 Bricks and Mortar housing - As well as a need for sites providing pitches and plots for Gypsies, Travellers and Travelling Showpeople, there could be some requirement for bricks and mortar housing to meet their needs. The new GTAA has not identified any such need but the need will be met by the provision requirement for general housing in any case.
- 3.6 Travelling Showpeople sites supply - Prior to 2009 there was one established Travelling Showpeople site in East Devon which predates the planning system. A further site in East Devon close to Exeter and the M5, was granted planning permission for 9 plots in 2011 (09/1486/MFUL at Clyst St Mary). This accommodated three displaced plots in Teignbridge and a further 6 plots for extended family members on other, overcrowded, sites in south west England. To date, 4 of the 9 plots have been developed and the new GTAA considers that the supply of consented but as yet undeveloped plots would meet the needs of Travelling Showpeople during this plan period. In any case, the GTAA has not identified any likely additional need to 2045.
- 3.7 Windfall proposals- In addition to allocated sites the plan allows some flexibility for sites to come forward in addition to those that are allocated (ie as 'windfalls'). These will be considered against policy criteria to ensure that they are in appropriate locations and that applicants are Gypsies or Travellers and have a local connection.
- 3.8 Safeguarding Sites- Existing authorised sites, sites with planning permission, and allocations for Gypsy and Traveller or Travelling Showpeople use will be safeguarded to ensure that the supply is maintained for their accommodation needs. If, in exceptional circumstances (such as long term vacancy and a demonstrable lack of need), changes to other uses are permitted, then, if need still exists in the District, suitably located and laid out alternative provision must be provided prior to the loss of the pitches.

4.0 Conclusion

- 4.1 The GTAA provides a robust assessment of Gypsy and Traveller needs which will underpin the associated policies in the Local Plan.

Financial implications:

Officer time associated in producing this report have been covered within existing budgets. There are no other specific financial implications regarding the Council's finances on which to comment.

Legal implications:

There are no specific legal implications requiring comment (002533/23 October 2024/DH).

Report to: **Strategic Planning Committee**

Date of Meeting: 23 October 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



East Devon Local Plan – redrafting of local plan chapters

Report summary:

This report sets the scene for the redrafting of the written text of the local plan and also includes a first redraft of local plan chapters in respect of:

- Chapter 8. Meeting housing needs for all;
- Chapter 9. Supporting jobs and the economy and vibrant town centres; and communications facilities we need
- Chapter 15. Our outstanding historic environment

These chapters are a redraft of those contained in the draft local plan dated 2022 but they are not at this stage proposed as the final plan wording to go into the proposed Regulation 19 Local Plan. Rather, they set out the general proposed intent and favoured approach to wording that we carry forward into the plan noting that final wording is planned to come to committee in December 2024.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That committee endorse the proposed draft revised chapters in the local plan noting that they will need to be refined in readiness for the proposed Regulation 19 draft of the plan.

Reason for recommendation:

To seek in principle committee approval for the emerging local plan text.

Officer: Ed Freeman – Assistant Director, Planning Strategy and Development Management,
e-mail – efreeman@eastdevon.gov.uk, Tel 01395 517519

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: High Risk; The local plan needs to progress in a timely manner if it is to meet potential Government deadlines for plan preparation. That said there are unknowns over final deadlines that may be set by the Government and as of when they may issue new policy. The government had previously indicated that plans may proceed under the existing NPPF and what are comparatively lower housing numbers if they reach Regulation 19 stage of plan making (plan consultation) within one month of a new NPPF being published. It is unknown if this timing ruling may stay in place, or not, or when a new NPPF may be published.

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

1. Introduction

- 1.1 This report introduces some redrafted chapters of the local plan for proposed inclusion in the Regulation 19 draft of the plan. It is highlighted that at this stage the wording provided is not regarded as necessarily being the final wording that should be included, but it is intended to give a very clear steer on the policies that officers would advise for inclusion in the plan and a draft of wording that should apply.
- 1.2 Officers have reviewed the plan text that featured in the 2022 draft plan [commonplace-reg-18-final-071122.pdf \(eastdevon.gov.uk\)](#) alongside responses to consultation, any emerging new evidence, sustainability outputs and other work in arriving at redrafting wording. The actual redrafted wording for the following:
- Chapter 8. Meeting housing needs for all;
 - Chapter 9. Supporting jobs and the economy and vibrant town centres; and communications facilities we need
 - Chapter 15. Our outstanding historic environment
- is appended to this report and is referenced further on in the report.

2. Overview of plan redrafting

- 2.1 For the chapters specifically addressed in this committee report, and for plan and chapter drafting more generally, we have applied some general principles, as well as being led by the evidence we hold. On a very general level we have sought to:
- a) remove text that is seen as not relevant to the actual use and application of the policy or policies in the plan that text relates to.
 - b) reduce the overall length of wording and length of policies.
 - c) strip policies back, where reasonable, to address only planning and determination of planning application matters. This stripping back has included removing process matters relevant in respect of application determination which are best left to guidance which can be more readily updated.
 - d) remove policies or parts of policies that are duplicating national guidance and NPPF text. Though if a policy seeks to deviate from the NPPF or such guidance we would want and need to justify the case for doing so.
- 2.2 This redrafting will lead to a shorter and more precise plan overall. It will be in line with national guidance that favours shorter plans and as such we would wish to make it easier to use and understand. However, and of critical importance, extensive evidence and assessment will sit behind the plan and policies and will help establish the justification of the policies.
- 2.3 In text and plan redrafting there has and will be some minor changes to the ordering of some parts of the plan and loss of one chapter, Chapter 4, that explained site selection process (this is clearly not relevant to the Regulation 19 plan). We also propose to split Chapter 7 on climate change into two chapters. The first majoring on energy efficiency and renewable energy and the second specifically addressing flooding and water related themes, including in respect of impacts arising as a consequence of climate change. Note that at present chapter numbers remain as in the draft plan, but in due course will be amended.
- 2.4 In this initial redrafting we have retained, for the time being, the policy numbers that featured in the draft plan (they came before the policy title) but have also added new proposed policy references (letter/number references) after the words 'Strategic Policy' or 'Policy'. This new policy referencing is proposed to be carried forward with, in due course, the number referencing being dropped. But for the time being it is useful to retain the former referencing as a cross-reference point for early draft plan wording. It is also relevance to note that there are also some changes to whether we have classified some policies as 'Strategic' or not.
- 2.5 In policy redrafting we do **not** show amendments as tracked changes, to do so would result in a very cumbersome and long document to read through. It is therefore essential, if comparing the draft plan and new proposed wording to compare the two alongside each other.

- 2.6 We would highlight that behind each chapter of the plan and every policy there is technical assessment work and past consultation. For each chapter of the plan, and also appended to this report, there is a separate audit trail report that explains the evolution of plan policy and the factors that have informed drafting. In some cases these reports cross-reference to other more detailed technical assessments. The audit trail documents are reports that will be updated as plan making progresses, as such they are live documents with version control/referencing.
- 2.7 The Version 1 drafts of these audit reports are not therefore the final article and new versions will be produced in the months ahead as new matters come forward. In due course the intent is that later versions of these reports will accompany the documents that are submitted for plan examination and be considered by the appointed planning inspector/inspectors alongside other material. The audit reports will tell, therefore, the evolving story of plan/policy evolution and the basis and reasoning for plan content.
- 2.8 It should be noted that plan reformatting is an ongoing exercise to bring the plan in line with corporate standards of presentation and to make it accessible. The text format and style presented to committee at this stage may therefore change in future drafts and it is noted that there may, as a result, be some inconsistencies in this early draft across plan chapters. There are also some variations in the style, format and layout of policies and wording and also in the supporting text/reasoned justification for policies. Text will be refined in later redrafts to ensure a consistency of approach.

3. Redrafting of - Chapter 8. Meeting housing needs for all

- 3.1 The redrafted Chapter 8. Meeting housing needs for all is attached as Appendix A of this report and Version 1 of its audit trail document as Appendix B.
- 3.2 Chapter 8 has been edited down quite considerably to simplify presentation and concentrating on the most significant issues and removing matters not directly relevant to planning policy considerations and local plan provision. This has included some text that was about the stages of plan making work we were previously at and the plan making work going forward.
- 3.3 Key more detailed changes to the plan, from the consultation draft to this redrafting, include:
- Highlighting in policy the aspiration to secure accommodation for younger people to assist in supporting a younger workforce.
 - Removal of First Homes from policy on affordable housing and more so for policy throughout the plan. First Homes are an affordable housing type that applies a discount to market house sales. But they are not favoured by the current Government and their provision has not been supported through plan engagement. There is minimal evidence of the development industry wishing to see them developed and other forms of affordable housing are seen as far more credible and desirable. We will need to keep this under review given that we are seeking to progress the plan under transitional arrangements that mean it would be assessed against the December 2023 version of the NPPF which

includes reference to requirements for First Homes. However, the hope is that, given that this is not the new governments policy and they would not meet the identified needs in East Devon, the removal of reference to them would not be challenged.

- Under affordable housing policy we have placed the emphasis on social rent provision. The affordable housing policy will, however, need to be subject to careful scrutiny under viability assessment.
- We have lowered expectations for elderly person housing delivery. In the draft plan they are considered to be too high and demanding, and site size threshold on which they would be required are too low.
- Policy on accessible and adaptable homes seeks somewhat lower levels of provision noting that the needs in the draft plan were not realistically justified, we were duplicating provision that would otherwise be provided through other, social care means and as drafted previously plan policy would have very significant cost implications.
- We have removed the Policy that specified the mix, by bedroom sizes, sought on new housing development sites. This is seen as being too prescriptive and that better outcomes will be achieved in terms of consideration of actual applications that come in and responding to site specific considerations. The district wide Local Housing Needs Assessment indicates a need for 75% of new homes to be 3 bedrooms or bigger and this is what the policy previously sought. Anecdotally it is considered that in the towns the need is likely to be for smaller homes. It is considered that we would be likely to get more smaller homes by relying on wording in Strategic Policy HN01 which requires an appropriate mix of housing types, supports housing for younger people and housing that meets local needs identified in housing need evidence than through the previously proposed policy on housing mix.
- For rural exception housing sites we have deleted the 15 dwelling upper size threshold. Noting that some schemes may reasonably be for larger developments given local needs. But we would still seek to ensure that any development allowed is not disproportionate to the size of the host settlement.

3.4 It should be noted that various policies in this chapter refer to requirements such as the proportion of affordable housing as well as thresholds for the application of policy requirements. Where these have an impact on viability issues these are currently left blank so that these can be considered alongside wider plan viability issues in a report that is intended to be brought to a meeting in November. In the meantime Members views are sought on the policy wording only in relation to these policies.

4. Redrafting of - Chapter 9. Supporting jobs and the economy and vibrant town centres

4.1 The redrafted Chapter 9. Supporting jobs and the economy and vibrant town centres is attached as Appendix C of this report and Version 1 of its audit trail document as Appendix D.

4.2 Several changes have been made to Chapter 9 to reflect consultation responses and a desire to make the document and policies clear and focussed, avoiding repetition of

national policy. This has resulted in a greater degree of clarity for applicants and decision makers.

4.3 Other key changes from the Draft Plan to the Publication Plan include:

- the policy allowing employment development in the countryside has been rewritten to allow extension of existing businesses as well as intensification.
- The farm diversification policy has been amended to widen the range of diversification activities that will be supported and place less restrictions on prioritising E(g), B2 and B8 employment uses, however this also means that a viability statement is required to demonstrate how the activities will support the long-term sustainability of the farm holding. This is felt to strike an appropriate balance between recognising that these types of employment activities may not usually be permitted in rural areas and may lead to some adverse impact and demonstrating how this is to be outweighed by the positive benefits of such development. Because the District's rural farms do have special characteristics not shared by other types of development or activity, the policy is quite detailed in setting out the criteria that will apply, the particular infrastructure requirements and the potential impacts on the farm business, buildings and character but, as with all policies, these will be applied in conjunction with the whole plan policies.
- The policy requiring Employment and Skills Statements on major developments was indicative at Regulation 18 stage and it has now been evidenced and reworded. The policy is based on a tried and tested approach, thresholds which have been successfully applied in nearby authorities and the benchmarks that will be applied are proportionate and achievable. Guidance will accompany the policy to explain what applicants are required to do.
- The strategic policy which sets out the settlements to which town centre policies will apply was amended to make it clear that Cranbrook town centre will be covered by the policies in the Cranbrook Plan.
- The policy which relates to town centre and primary shopping areas (identified on the policies map) was generally supported. It has been slightly amended to support the incorporation of cycle provision and enhancement of the natural environment where possible and the boundaries are being reviewed to see if any minor amendments are required in light of the feedback to the further Draft Consultation. Most negative feedback from respondents related to matters beyond the scope of the policy, for example objecting to changes of use within town centres that are supported by the NPPF or allowed as PD.
- Local Shops and services will continue to be supported but policy has been amended to apply to all tier 1-4 settlements (not just the smaller 3-4 ones) and to standardise the wording relating to the requirement to demonstrate a lack of viability if a facility is proposed to be lost.
- The policy relating to rural shops has been reordered to make it shorter and simpler. In consultation with Economic Development, the requirements have been amended so that at least 50% of the products being sold must be produced on the holding and the remainder must be sourced or produced from within a 10-mile radius.
- The sustainable tourism policy has been partly reworded and reordered for clarity and consistency with other policies in the plan. An additional section has

been added which resists the loss of existing dwellings to holiday accommodation (for example Air B'n'B's)

4.4 The key evidence which has informed this Chapter is the [Economic Development Needs Assessment \(January 2023\)](#) which establishes the need for different types of employment land up to 2040, identifies some broad locations and assesses the level of supply at the time of the study. Other evidence of note is the Council's [Economic Strategy](#), the [Local Economic Review](#), [Employment Land Review](#), [Tourism Strategy](#) and the [Clean Growth Vision](#). Town Centre evidence and an explanation of the threshold that will apply to sequential testing of out of centre proposals is available within the [Town centres and sequential test topic paper](#).

4.5 The Policies in this Chapter will be supported by a number of guidance notes, explaining the evidence that will be required to support applications and the approach that the Council will take to assessing them. These will be available alongside the Publication Draft consultation. They will cover:

- Marketing Statement
- Supply Statement
- Sustainable Tourism
- Viability Statement
- Employment and Skills Statements

5 Redrafting of - Chapter 15. Our outstanding historic environment

5.5 The redrafted Chapter 15. Our outstanding historic environment is attached as Appendix E of this report and Version 1 of its audit trail document as Appendix F.

5.6 The Policies have not undergone significant amendment since the Draft Plan consultation. Most respondents were very supportive of the Council's approach to the historic environment. Historic England are the key statutory body with an interest in this topic, so they were involved in discussions regarding redrafting the Chapter. The County Archaeologist is responsible for maintaining the Historic Environment Record (HER) and specifically informed the Archaeology and Scheduled Monuments policy.

5.7 It was suggested by a respondent that a single policy could apply to all heritage matters and this would avoid duplication and simplify consideration of planning applications. Historic England were supportive of this approach in principle and Officers explored this further. On balance, however, it was decided that separate policies for different types of asset would ensure that applicants are clear as to what is expected of them and the considerations that will apply to their specific type of asset.

5.8 The Chapter will be supported by a Heritage Strategy which is currently being reviewed. This will be available for consultation alongside the Publication Draft of the Plan.

6 Redrafting of other plan chapters

6.5 The plan chapters not addressed to date will come to committee in early November 2024 and additional plan material will also follow.

7 Regulation 19 local plan consultation

7.5 Officers are now working to a timetable that will see a report coming to committee in December 2024 (date to be determined) recommending that the local plan is made available under Regulation 19 of the plan making regulations for people to make comment on.

7.6 This is the timetable set out in the Local Development Scheme and it advises of the period for comments running from December 2024 to January 2025. The plan itself, the comments received and supporting evidence documents will be sent (the Submission) to the Planning Inspectorate for the Examination of the plan.

7.7 Government determined deadlines that we may need to meet are not yet confirmed but may impact on the above.

9 Implications for Neighbourhood Plans

9.1 Members should be aware that Neighbourhood Plans will continue to be examined for general conformity with the adopted Local Plan (2031), with some (increasing) consideration given to the relationship with the emerging Local Plan, until such time as the new Local Plan is at least at Main Modifications stage.

9.2 Progress in a timely fashion, in line with the published timetable, and in agreeing content for inclusion in the Publication Version of the LP is therefore important in giving increased certainty to communities in considering the need for a neighbourhood plan, and planning for the preparation of a new or reviewed neighbourhood plan. This includes which policies will be strategic policies, as the legal tests ('Basic Conditions') against which neighbourhood plans are examined, includes their being in general conformity with the strategic policies of the Development Plan for the area.

Financial implications:

Officer time associated in producing this report have been covered within existing budgets. There are no other specific financial implications regarding the Council's finances on which to comment.

Legal implications:

There are no specific legal implications requiring comment (002533/23 October 2024/DH).

Chapter 8 - Meeting housing needs for all

People need homes not just for shelter, health and well-being. They need decent housing that they can afford to live in, where they can be warm, safe and secure, that provides stability and meet the household's needs now and as their needs change.

This is a strategic policy which addresses the Council's aspirations towards meeting the housing needs of East Devon. It is an overarching approach for the suite of policies in this chapter.

39. Strategic Policy HN01:

Housing to address needs

All proposals for housing, including those affecting the existing housing stock, will contribute to creating sustainable, inclusive and mixed communities in East Devon. This will be achieved by providing an appropriate mix of decent, good quality homes which meet identified needs for housing over the plan period, at locations consistent with the settlement hierarchy and the spatial strategy.

To achieve this the Council will:

- a. Seek to maximise the delivery of affordable housing across East Devon in order to meet identified needs of people who are not able to access the general housing market
- b. Support proposals for the development of specialist accommodation that increase choice, including for older, vulnerable and disabled residents
- c. Support development of dwellings most suited to younger people noting the importance of homing, supporting and nurturing a younger workforce in the district
- d. Seek the use of good quality adaptable housing designs that provide flexible internal layouts and will allow for cost-effective alterations to meet changing needs over a lifetime and reduce fuel poverty
- e. Work with developers, registered providers, landowners and relevant individuals or groups to address identified local demand for self and custom build homes as identified in the East Devon Self and Custom Build Register
- f. Support the retention and improvement of private rented accommodation, the provision of shared accommodation for single people, and proposals for the development of community-led housing schemes.

Proposals for housing development will be supported where they broaden choice and reflect and respond to the existing and future needs as identified in the Local Housing Needs Assessment or successor documents, and in up-to-date local housing need evidence assessments.

Proposals for housing development will provide a mix of house types, tenures and sizes appropriate to the area. This will be subject to the ability of a site to accommodate a mix of housing, and relevant, up to date evidence of market conditions. Housing mix will be achieved by:

- a. Inclusion of affordable housing to meet affordable housing needs over the plan period, particularly the needs of younger people.
- b. A range of housing suitable for households with specialist needs, including:
 - Dwellings for older people who want to retain independent living;
 - Adaptable and accessible housing and wheelchair user housing
 - Use Class C2 accommodation including care homes
- c. Market housing for rent as well as for home ownership
- d. Serviced plots of land for self-build and custom housebuilding
- e. Gypsy and Travellers and Travelling Showpeople accommodation

Justification for inclusion of policy

It is vital that housing development addresses the needs of the area. The plan therefore includes a strategic policy about achieving housing mix and high quality homes focused on meeting housing needs to support communities.

This policy also aligns with the national policy in the NPPF which stresses that the local plan should provide a framework for addressing housing needs. The policy encompasses housing matters which national policy requires the local plan policies to address. It provides the overarching context for the other housing policies and helps to avoid repetition and duplication in those policies.

Housing needs are diverse and change over time. The non-strategic housing policies are necessarily wide ranging. These policies address local issues relevant to East Devon and they fully reflect national planning policies. The policies address the Council's aspirations set out in the Council Plan, and the Council's Housing Strategy.

The key evidence about housing need is provided by the Local Housing Needs Assessment 2022 – see Report of Findings for East Devon: [East Devon, Exeter, Mid Devon and Teignbridge Local Housing Needs Assessment 2022](#). This provides evidence about Local Housing Need, Affordable Housing Need, and the needs of particular groups of people.

Affordable housing

Affordability and lack of sufficient affordable housing is a major issue in East Devon. We have a combination of high house prices, high private rents and a low proportion of social and affordable rent properties.

Additional affordable housing is needed particularly for newly forming, young households. National planning and housing policy, and the Council Plan are seeking to increase the delivery of affordable housing. The amount of affordable housing changes through losses from Right to Buy and demolitions, but also through stock additions and tenure changes.

**40. Policy HN02:
Affordable Housing**

To foster balanced and mixed communities affordable housing will be required on all developments (unless exempted under this policy) with a capacity of 5 or more dwellings in designated rural areas and 10 or more in non-designated rural areas. Specifically included under policy are schemes for specialist housing for older people where the site is delivering self-contained units (C3 and C2). Provision must accord with the levels set out below.

Location	Affordable housing as a percentage of the site total	Tenure mix of the affordable housing requirement
Second new town	New town % to be defined through bespoke viability work for the new town	Mix to be determined through bespoke viability testing
Rest of East Devon (excluding Cranbrook Plan area)	% to be determined through viability work	X% Social Rent X% Intermediate forms of affordable housing % to be determined through viability work

Affordable housing secured through policy must:

- remain affordable in perpetuity. Legal agreements will make provision for achieving clawback on long term, phased schemes if affordable housing is converted to another tenure, and
- be provided on-site and dispersed in small clusters across the site in a way that is indistinguishable in terms of design and materials from any market housing.

Off-site provision or financial contributions will only be acceptable where on-site provision cannot be achieved or is non-viable or it can be clearly established that off-site provision will generate better affordable housing delivery outcomes.

Affordable housing should provide a mix of property sizes and types across the site, demonstrating how the site responds to robust, up to date evidence about housing need.

Where the requirements set out in this policy are not proposed to be met, applicants must submit development viability evidence to justify departure. Where a lower level of provision is agreed on viability grounds developers will be required to enter into an agreement that allows affordable housing contributions to be made in the future should higher levels become viable (e.g. through an 'overage' clause). The Council will also reappraise viability on subsequent phases of large schemes.

On Build to Rent schemes, X% will be affordable private rent homes provided on site at a X% discount, subject to viability. All homes on the scheme will be managed collectively by a single build to rent landlord.

The following types of developments are exempt from this policy:

- a. Residential institutions (inc. C2 care homes), student accommodation etc
- b. Gypsy and traveller accommodation
- c. Live work units where the main use is predominantly employment, and non-residential development.

Justification for inclusion of policy

This policy focuses on affordable housing delivered through development. It supports the Strategic Policies on addressing housing need and affordable housing provision aligned with the local plan's vision, objectives and strategies. The policy is needed to ensure delivery of additional affordable dwellings in the plan period. This policy is complemented by the Policy on Rural Exception sites in the countryside which are aimed at extending the opportunity to deliver affordable housing in rural areas.

For the avoidance of doubt, this policy does not supersede Policy CB10 Cranbrook Affordable Housing in the Cranbrook Plan DPD.

Some affordable housing will be delivered by Registered Providers. Currently these are primarily by Housing Associations. The District Council is exploring ways of increasing social and affordable housing. However, contributions from market housing development negotiated through S106 agreements are likely to remain the principal mechanism for delivering additional affordable housing for the foreseeable future.

Justifying the local components in this policy relies on local evidence. The chief evidence about affordable housing need is in the East Devon Local Housing Needs Assessment September 2022 (ORS). It assesses the scale and type of affordable housing need in the district over the plan period. In addition, the Council has evidence about the supply of affordable housing from completions, commitments and potential allocations.

41. Policy HN03:

Housing to meet the needs of older people

The Council will support development that widens choice by securing a more diverse supply of market and affordable housing for older people in East Devon. Specialist affordable housing for older people, falling under this policy, will specifically include:

- Residential care homes and nursing homes
- Extra care housing or housing-with-care
- Retirement living or sheltered housing
- Age-restricted general market housing

We will aim for at least 1,630 net additional specialist dwellings in East Devon to meet older person needs and also to widen housing option and choices. Provision is to be delivered at new towns, at/on major residential development sites and in Tier 1 to 4 settlements under plan strategy.

Any development proposals with housing to meet older people will need to:

- demonstrate how the design and layout addresses the health and well-being needs of older people including those with dementia and other long-term conditions;
- be within 400m walking distance of local facilities and shops;
- be well-served by public transport
- have high levels of accessibility with flat or relatively flat neighbouring topography, dropped kerbs and pedestrian road crossings to promote access by ambulant older people, wheelchair users and mobility scooters;
- provides adequate communal facilities, including accommodation for essential staff, on site.

Planning applications for different types of specialist housing for older people, will be determined on the basis that:

- a. **Use Class C3 (dwellings)** - Market accommodation for older people in the form of age restricted general market housing, retirement living or sheltered housing and extra care housing or housing with care are in Use Class C3 (dwellings).
- b. **Use Class C2** - Residential care home and nursing home accommodation (including end of life/hospice care and dementia care home accommodation) are in Use Class C2.
- c. The Use Class of other specialist housing products will be determined taking into consideration the level of care and scale of communal facilities.

The following will apply when determining planning applications:

1. For all general housing proposals - where there is up to date evidence of specialist accommodation need in East Devon, and subject to viability, all housing schemes will be required to deliver specialist housing for one or more of the specialist types of accommodation for older people as follows:
 - a. Schemes for X to X dwellings should include at least X% in the light of 2024EI047-Devon-Housing-Commission-Final-Report-v8.pdf (exeter.ac.uk), any other assessment, viability evidence and practicality consideration) of dwellings on-site as specialist older person dwellings (Use Class C3)
 - b. Schemes for X or more dwellings should include at least X% (again need to review - threshold is probably too low and should be increased) - as on-site specialist older person dwellings as C3 dwellings or C2 equivalents.
2. There will need to be Care Needs Assessment evidence to justify the development proposal's scale, tenure and accommodation type.
3. Planning permission will be refused in the following circumstances:

- Where a proposed development would exceed up to date identified need or would significantly undermine the creation of sustainable, mixed communities; Or
- Where development proposed would result in the loss of specialist housing for older people, unless evidence demonstrates that:
 - o There is no longer a need in East Devon for that type of housing; and also
 - o The housing cannot be converted to meet other types of older person need, or that conversion, remodelling, or redevelopment to specialist housing to meet other social care and health needs is not viable.

Justification for inclusion of policy

Planning for the housing needs of older people is important because East Devon has an ageing population that is growing. Based on the dwelling-led Local Housing Need projection, the LHNA 2022 concludes that the number of over 75s in East Devon is projected to increase by around 13,300 in the period 2020-40; of which approximately 5,300 will be over 85 years old.

The NPPF specifically identifies older people as one of the groups in the community whose assessed needs should be reflected in planning policy.

Data clearly shows that East Devon has an ageing population profile and this is partly driven by middle aged people moving into the district and on into retirement and also people moving directly into the area to retire. The needs of older people are diverse and may change over time. Their health, lifestyles, income and wealth differs greatly, as will their housing needs. Offering older people a better choice of accommodation to suit their changing needs helps them to live independently for longer within their communities. Given this, there is an increasing demand for housing that is specialised for older people, with a requirement for both open market and affordable provision.

It is, however, noted that some older people may not want or need specialist housing, at least not immediately, but prefer to stay or move to general housing that is already suitable, including homes that can be adapted.

This policy focuses on widening choice, reflecting the Council Plan and complementing the Council's Housing Strategy. Having a local plan policy that is focused on providing the right type of housing in the right place that meets the needs of older people is essential.

Based on the dwelling-led Local Housing Need projection 2022, the number of over 75s in East Devon is projected to increase by around 13,300 in the period 2020-40. The demand for extra care housing and sheltered accommodation is 2,473 units and 3,751 units respectively. Given the current rates of provision, it is expected that 40 units of extra care housing and 1,590 units of sheltered accommodation need to be provided during the plan period.

Market and affordable dwellings will meet part of the need. Other specialist housing will be needed such as residential care homes and extra care homes (Use class C2 – Residential institution). In line with PPG, the LPA counts housing provided for older people, including residential institutions in Use Class C2, against their housing requirement. This takes into account the Government's formula used for the Housing Flow Reconciliation Return statistics to convert C2 bed spaces (gains and losses) to C3 dwelling equivalents. The Use Class of other specialist housing options will be determined taking into consideration the level of care and scale of communal facilities.

Policy relating to the subdivision of existing dwellings and buildings works in tandem with this policy, to support the development of housing for older people and changes to the existing dwelling stock.

Planning applications should demonstrate how the proposed development widens choice to meet the range of needs for older persons housing and should reference Care Needs Assessment evidence to justify the development proposal's scale, tenure and accommodation type.

42. Policy HN04:

Accessible and Adaptable Housing

To ensure that new homes provide quality living environments for residents both now and in the future, the following standards from Building Regulations Approved Document M: Volume 1 (Access to and use of dwellings) (or replacement standards) will apply to new dwellings, subject to consideration of site suitability and site viability:

- X% of all new dwellings will meet building regulation M4 (2) requirements (accessible and adaptable dwellings).
- X% of all new specialist accommodation for older people will meet regulation M4 (3) requirements (a) or (b) (wheelchair user dwellings).
- X% of new specialist accommodation for older people will meet regulation M4 (3) (2) (b) requirements (wheelchair accessible dwellings) for those dwellings where the local authority is responsible for allocating or nominating a person to live in a dwelling.
- At least X% of all new affordable housing for rent will meet building regulation M4 (3) (2) (a) requirements (wheelchair adaptable).
- At least X% see housing register data for evidence of all new affordable housing for homeownership will meet regulation M4 (3) (2) requirements (a) or (b) (wheelchair user dwellings).

When providing for wheelchair user housing, early discussion with the Council is required to obtain the most up to date information on specific need for this type of housing in the local area.

Justification for inclusion of policy

The Government's approach to health and adult social care is underpinned by the principle of sustaining people at home for as long as possible. This is reflected in building regulations relating to adaptations and wheelchair accessible homes, with 3 categories of dwellings:

1. M4(1) Category 1: Visitable dwellings – mandatory, broadly about accessibility to all properties
2. M4(2) Category 2: Accessible and adaptable dwellings – optional, similar to lifetime homes, and
3. M4(3) Category 3: Wheelchair user dwellings – optional, equivalent to wheelchair accessible standard

The East Devon Local Housing Need Assessment 2022 provides the evidence in relation to need for nationally described standards for accessible and adaptable homes (Part M4(2)) and wheelchair

users (Part M4(3)). It demonstrates that need is largely driven by a growing population of older persons, as the PPG recognises.

The Council considers that this evidence is robust and can be relied upon to justify this policy. It demonstrates that an additional 12,959 households will either need adaptations to their existing housing or suitable new housing to be provided by 2040.

M4(2) Category 2: The study estimates 76% of households would live in dwellings that can be converted to meet the M4(1) Category standard. The study concludes that at least 30% of the need for adapted housing could not be met by adaptation of existing homes, a total of 5,119 households. They would need M4(2) Category 2. However, there is a significant overlap with the 6,400 older persons dwellings need identified by the study. Nevertheless, the requirement for adapted housing would still be high.

M4(3) Category 3 wheelchair users housing: Based on gross modelled need, the ORS study forecasts a net additional 1,010 households over the plan period in East Devon will need wheelchair adapted housing. This equates to about 6% of the local housing need. The 5,119 net adapted need housing already encompasses households counted as having a health problems or disability that affects their housing need. That figure already includes households with wheelchair users so the latter should not be double counted. There's also a very significant overlap between wheelchair users housing need and the forecast additional 6,224 specialist older persons housing need. The study concludes that it may be appropriate to adopt a target of 100% wheelchair accessible housing. This could reduce the proportion of general needs housing that would need to meet the M4(3) Category 3 requirements.

The Policy sets out the Council's approach towards the optional standards regarding access to and use of buildings under Regulations M4(2) and M4(3). This approach is consistent with NPPF, and PPG on Housing for Older and Disabled People, including the guidance that where an identified need exists, plans are expected to make use of the optional technical housing standards (footnote 46 of the NPPF) to help bring forward an adequate supply of accessible housing. The percentage of dwellings for the categories, and the circumstances where they are required by policy are guided by the evidence in the LHNA 2022 and the Local Plan spatial strategy.

The Council is mindful that its ability to require wheelchair accessible housing is constrained to those dwellings where the Council is responsible for allocating or nominating a person to live in those dwellings. These are affordable dwellings for social rent or affordable rent which are and secured through the preparation of the S106 legal agreement which is an integral part of the development management process. The legal agreement must be completed before planning permission is granted. The planning application should be accompanied by an Affordable Housing Statement indicating the number and types of affordable housing and the relevant dwelling units.

Where there is evidence that site conditions or viability preclude the provision of specialist housing required by policy, then building regulations require that housing is provided to at least M4(1) standard.

43. Policy:

Market housing mix

In the draft plan we had a policy about the mix of properties sought by bedroom numbers in any development. We are now planning to delete this.

44. Policy HN05:

Self-Build and Custom Build Housing

As part of meeting housing needs, securing greater housing diversity and encouraging high quality design, proposals for custom and self-build housing, to be occupied by those persons commissioning or undertaking the construction, will be supported.

At least X% of dwellings on sites of X homes or more must be delivered as serviced custom and self-build plots.

The agreed plots should:

- a. Be actively marketed to individuals and custom build companies (as appropriate) in accordance with a marketing and pricing strategy that shall be agreed in writing with the Local Planning Authority in advance of a plot/s being first marketed. All plots shall be marketed at a reasonable price to reflect market conditions for at least 24 months from being fully serviced and developable. Any plots that have not been sold after 2 years of being continuously marketed in accordance with this policy shall be made available for development on the open market;
- b. Have suitable road access delivered at an early stage in the development;
- c. Be of a size that reflects local demand and, where more than one plot is provided, a variety of sizes should be offered to reflect the range of local demand;
- d. Be offered for sale with no legal or physical restrictions that would prevent immediate purchase and development;
- e. On sites of over 250 dwellings, a proportion of plots must be made available for affordable housing, to be secured through legal agreement, subject to viability;
- f. On sites of over 100 dwellings, design codes should be used flexibly to encourage high quality housing design and the agreed design code should be used to provide 'plot passports' that provide a simple, succinct summary of each plot as a reference point for the purchaser.
- g. Be completed within 3 years of the self or custom builder purchasing the serviced and developable plot.

Justification for inclusion of policy

Custom and self-build housing is part of the overall housing supply picture. This is additional to the mainstream housing delivered by large house builders and registered providers. Not only is it a route into securing new homes it enables housing to be tailored to meet individual needs and specifications. It can benefit individuals and communities. For example, self-build can lead to savings relative to buying a 'ready-made' product because there is no developer profit and it has the potential to boost and accelerate the supply of housing and can diversify the land supply, widening choice.

Communities benefit from homes with a better design, build quality and environmental footprint and a more diverse and resilient housing supply. By using modern methods of construction and building

to high specifications, self-builders often improve the sustainability of the housing stock. Self-build can also be good for local businesses and provide additional employment opportunities. It can form an attractive market to small and medium house builders because there is less risk, since contracts are settled earlier in the development process. This enables construction to be financed through the customer's mortgage stage payments, which reduces business finance and improves profitability. Supporting smaller builders can help local economies by using more local supply chains than volume house builders and creating opportunities for local tradespeople.

This policy does not apply to off-plan housing, which are homes purchased at the plan stage prior to construction but without input into the design and layout from the buyer.

Some owners of self-build properties are individuals that directly organises the design and construction of their new home. Other delivery models could include independent community collaboration where a group of people acquire a site and split it into plots for self-build homes, sharing labour and expertise. Supported community self-build is another delivery model where a social landlord or supportive body helps people build a group of homes together. The policy can apply to self-build and custom build development by different organisations such as Community Led Housing Groups, Community Land Trusts, Co-operatives and Cohousing groups.

Under the Self Build and Custom Housebuilding Act 2015, the Council is required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. There are also duties to have regard to this and to give enough suitable development permissions to meet the identified demand. The 2015 Act (as amended) contains a legal definition of Self-Build and Custom Build housing.

Since 2016 we have kept a register of people who want to build their own home in East Devon. This gives us a general indication of the level of interest in self-build and we also collect information on things like how much people have to spend on a plot and their location preferences.

Sub-dividing or replacing existing dwellings

Self-contained flats resulting from house conversions can be a valuable addition to the housing stock. They can be effective in meeting some households' changing needs for housing. The reuse of existing dwellings and building conversions significantly reduces the embodied carbon footprint of the development, as well as re-using existing resources, and locating development within existing communities.

The replacement of existing buildings is restricted by the proposed policy on embedded carbon. This seeks to promote the retention of existing buildings, so that their replacement will only be supported in exceptional circumstances. The following policy sets out the criteria that should be met if a replacement dwelling meets the exceptional circumstances set out in the embedded carbon policy.

45. Policy HN06:

Residential Sub-division of Existing Dwellings and Buildings and Replacement of Existing Dwellings

Any residential Sub-division of existing dwellings or buildings should:

- Avoid any materially adverse impact on the character and amenities of the surrounding area or on the existing building;
- Minimise hard surfacing of front gardens and ensure hard surfaced areas are permeable and/or discharge to a soakaway (subject to soil conditions being suitable);
- Ensure that adequate space is provided for bicycle/mobility scooter storage; and
- Provide an adequate external area for car parking, waste/recycling storage and for any shared use area such as outdoor drying of washing.

Outside of a settlement boundary

- Any applications for residential subdivision or conversion that involves extensions to accommodate the conversion will be judged against the relevant criteria set out below for replacement dwellings outside of a settlement boundary.

Replacement of existing dwellings

Exceptionally, where replacement dwellings can be justified all the following criteria should be met:

- Prior to the first occupation of any replacement dwelling, the dwelling which is to be replaced must be demolished;
- The replacement dwelling must be positioned on the footprint of the existing dwelling, unless there is a clear planning or environmental benefit to justify an alternative location within the existing curtilage; and
- The height of the replacement dwelling should be no higher than the dwelling to be replaced unless it can be demonstrated that an increase in height will be compatible with neighbouring residential amenities, the street scene or the wider landscape

Outside of a settlement boundary

The following criteria should also be met:

- The footprint of any replacement dwelling (or subdivided building) must not exceed by more than 30% of the external volume of the dwelling to be replaced (or the building to be converted/subdivided) and
- The curtilage of the proposed replacement (or sub-divided/converted) building should be no greater in area than that of the existing dwelling/building.

Justification for inclusion of policy

This policy supports the Council's Housing Strategy and is also part of the local plan's strategy for supporting the transition to a low carbon future, in line with the NPPF.

For this policy, a dwelling is a building with planning permission for use class C3 (residential) or its residential use is evidenced as lawful; and 'existing' means the dwelling is habitable and permanent

(meaning the planning permission is not temporary, i.e. the dwelling approved is not conditioned to be removed or subject to a legal agreement requiring removal; or the unit cannot be moved i.e. not a caravan or mobile home). This avoids creating a new dwelling in a place where a dwelling does not exist, including derelict and abandoned properties.

The policy does not impose a specific restriction on the size of conversion or replacement dwellings within settlement boundaries, but outside of these restrictions are proposed so that smaller dwellings are retained, mindful that larger dwellings are generally more expensive, and affordability is a significant issue, particularly in rural areas. The strategy of the plan only to define settlement boundaries for certain settlements means that there will be settlements where the scale of replacement dwellings/sub-divisions/conversions will be limited in line with the criteria proposed.

Some forms of housing development in the countryside such as re-use of redundant or disused buildings in the countryside and Use Class Q permitted development (for change of use from agricultural building to residential use, covered by GPDO legislation), are not replacement dwellings so are not subject to this policy, although other local plan policies may apply.

Part of this policy relates to the subdivision of existing dwellings and conversion of other buildings, to create self-contained dwellings which add to the dwelling stock. There is a separate policy in the plan on multiple occupancy of housing, a type of development which generally does not create net additional self-contained dwellings.

NPPF makes clear that the local plan should promote an effective use of land in meeting the need for homes. This policy aligns with the broader strategy in the plan for accommodating objectively assessed needs in a way that makes as much use as possible of previously developed land, boosts housing supply through subdivision, and meets need.

This part of the policy aligns with Policy on embodied carbon within an existing building, and with NPPF which encourages the reuse of existing resources. By allowing subdivision/conversion, this approach also reduces the risk of dwellings being left vacant, becoming derelict over time, and eventually being lost from the dwelling stock. This helps to avoid the need for additional housing to be built elsewhere to replace that loss.

The policy focuses on reducing and mitigating the impact of conversions. For example, conversion to flats can have undesirable environmental effects such as hard surfacing of garden areas, external staircases and unattractive refuse storage areas that can damage the area's character and amenity.

Replacement of a dwelling can be beneficial where it improves the quality of the housing and is sensitive to the area's characteristics and qualities. However, the cumulative impact of development that replaces existing dwellings can lead in the long term to the urbanisation and erosion of the character of countryside areas.

The policy focuses on reducing and mitigating the impact of replacement dwellings, such as the impact on neighbours. Not all replacement dwellings occupy the same footprint as the existing dwelling, so the policy also ensures there is a mechanism to avoid the risk of creating a second dwelling or planning unit on the site, for example by requiring the existing dwelling is demolished before the replacement dwelling is occupied.

The policy addresses issues related to the conversion of existing dwellings and buildings to residential use and the replacement of existing dwellings. The policy reflects national planning and housing policy, particularly regarding the opportunity to boost housing supply and mix of housing to meet needs.

46. Policy HN07:

Householder Annexes, Extensions, Alterations and Outbuildings

Proposals for ancillary or incidental annexes, extensions, alterations, and outbuildings, relating to existing dwellings shall:

- provide a written justification detailing the existing use of the main dwelling and the proposed use and requirement for the development; and
- be of a subordinate scale, form, and mass to the main dwelling and curtilage, and shall accord with the design principles of the Local Plan; and
- be located entirely within the existing curtilage of the main dwelling; and
- not increase the habitable Gross Internal (floor) Area¹ of the original dwelling by more than 30%, unless the increase is required to enable the host dwelling to conform to nationally described technical housing standards² for its original intended use. In exceptional circumstances, development may be considered where a minor increase above 30% is justified to improve design standards.

The development of annexes, extensions, alterations, and outbuildings, will not usually be permitted where the host dwelling is:

- an affordable dwelling
- an agricultural worker's dwelling
- in use as a dwelling house permitted only by virtue of The Town and Country Planning (General Permitted Development) (England) Order 2015 or any subsequent version of that order

A condition and/or legal agreement may be required to control future use as incidental or ancillary to the use of the main dwelling, preventing subdivision or use as a separate planning unit, in perpetuity. Permitted development rights for future extensions or outbuildings may also be restricted by condition.

Technical housing standards – nationally described space standard - GOV.UK (www.gov.uk)

Technical housing standards - nationally described space standards [Technical housing standards – nationally described space standard - GOV.UK \(\[www.gov.uk\]\(http://www.gov.uk\)\)](#)

Justification for inclusion of policy

The Council receives many planning applications for householder extensions and alterations, and for annexes and outbuildings. This type of development enables occupiers to meet their changing needs and lifestyles without the need to move.

This policy contributes to meeting the changing housing needs of households. It aligns with the NPPF and PPG on making effective use of land. Continuing the use of existing dwellings reduces the embodied carbon footprint of the development by avoiding the need for additional new build, as well as re-using existing resources, and locating development within existing communities. The

policy also aligns with the approach that all developments should maintain acceptable living standards.

Annexes

Residential annexes can also provide genuinely flexible, accommodation that can be adapted and re-adapted to meet the changing needs of family circumstances over time. Creation of an annexe to an existing dwelling, whether the main dwelling is located inside or outside settlement boundaries, can often create a useful facility for the support and care of family members.

This is a type of residential accommodation which might reasonably be construed as being self-contained and capable of being occupied without undue call upon the principal residence/ host dwelling. An annexe might provide bathroom and kitchen facilities and sufficient space for living and sleeping. To avoid creating an additional dwelling or separate planning unit the use of the annexe needs to be restricted to being an ancillary and subordinate part of the principal residence/host dwelling. The annexe size should not undermine its subordinate role. Nor be so large that it is impractical and is then let separately from the main dwelling, creating sub-standard accommodation with inadequate access, amenity and space.

Residential extensions, alternations, and outbuildings.

This type of development adds to diversity and flexibility in the housing stock but it needs to respond positively to the context and character of existing areas. Extensions, alterations and outbuildings are part of the principal residence/host dwelling. Some development creates ancillary accommodation which provides habitable rooms but does not extend to such an extent that it can be construed as providing facilities that would enable its independent occupation without call upon the principal residence/ host dwelling.

There can be concern that extensions in combination would lead to an increase in the proportion of larger dwellings, reducing the availability of smaller housing and creating an imbalance in the local dwelling stock. There are additional concerns that extensions and subsequent subdivision can create additional dwellings in the countryside, and not be consistent with policy. A further complication can arise with Class Q permitted development, where the approval is implemented, changing the use to residential, swiftly followed by a full application to extend the unit creating a larger dwelling. This can be very difficult to resist.

Permitted development rights allow house extensions and outbuildings without needing to apply for planning permission if specific limitations and conditions are met. This policy addresses the issues for those extensions, alterations, and outbuildings that exceed the specific limitations and conditions. In many cases an application for householder planning permission will be required. Occasionally other types of planning permission are necessary.

Annexes, extensions, alterations and outbuildings should not cause unacceptable impacts for the occupants in the main building, annexe or outbuilding, or for neighbours from e.g. amenity, light, noise, odour, smoke, dust, privacy, visual impacts, overbearing, over-shadowing, scale, form, mass, design, material and any other pollutants

47. Policy HN08:

Hostels and Houses in Multiple Occupation (HMOs)

In circumstances where planning permission is required for the conversion or change of use of existing homes and buildings in other uses to shared accommodation including hostels and houses in multiple occupation, permission will be granted on sites at locations that are suitable for the use, where it can be demonstrated that there will be no significant impact on the following:

1. Privacy of existing homes and gardens of neighbours - must be maintained and ensured for new occupiers. The existing home or building must be capable of conversion without causing harm to the amenities of future occupants, neighbours and the wider area;
2. Vehicular access or car parking – both in terms of highway safety or visual, noise or light impact on neighbours. Provision must be made for on-site car parking and cycle storage facilities, unless it can be demonstrated that the site is sustainably located with access to regular public transport or is within an 800 metre walking distance of a defined town centre;
3. Service provision – there should be sufficient space for communal areas at an appropriate standard, to accommodate adequate bin storage and collection, and accommodate other ancillary functions for the increased number of residents;
4. living spaces and communal facilities are of a good standard and suitable for the intended occupiers, individually and in total;
5. Housing stock – to protect the existing small family housing stock, and to allow for adequate residential space standards in the proposed subdivided dwelling. The subdivision of existing properties of less than 4 bedrooms will not be permitted;
6. Applicants will be expected to submit evidence to demonstrate that there will be no significant impact on the criteria outlined above;
7. Hostels and Houses in Multiple Occupation will need to evidence how a good standard of management will be provided;
8. The Council will resist the loss of existing hostels and HMOs, unless there is evidence of a lack of demand for this type of accommodation within the settlement, or there is viability and building condition evidence to demonstrate that retention and improvement of the accommodation is not viable or achievable.

Justification for inclusion of policy

Houses in Multiple Occupation (HMOs) are properties occupied by unrelated individuals who share basic amenities such as a kitchen or bathroom. The traditional source of HMOs tends to be larger, older single family dwelling houses.

The NPPF does not define Houses in Multiple Occupation or hostels. The definition of HMO used by the plan is listed in the Glossary. HMO development is subject to the use class order:

- Larger HMOs housing more than 6 people. These are classified as sui generis use and require planning permission.

- Class C4 (Small houses in multiple occupation). Small shared dwelling houses occupied by between 3 and 6 unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom. Change of use between C3 (residential use) and C4 use classes is permitted development and does not require planning permission (unless an Article 4 direction applies). New build C4 or change of use from non-C3 use to C4 (and vice versa) requires planning permission.

Hostels are a type of HMO providing no significant element of care. They fall into the sui generis use class for the purposes of planning.

The Council expects the need for hostels and Houses in Multiple Occupation to continue to meet the need for low cost, private rented housing. Many people living in this type of housing will only be able to afford shared accommodation, and so they are important for people on low incomes and those seeking temporary accommodation. This policy addresses the development issues related to this type of housing. Loss of HMOs through conversion to self-contained dwellings will be resisted unless the applicant can demonstrate the absence of need for this type of accommodation.

The policy does not include a size threshold as this is subject to the Town and Country Planning (Use Classes) Order 1987 (as amended) relating to change of use.

As well as planning requirements, some HMOs require an HMO licence. The Council determines HMO Licences in order to protect the health, safety and welfare of the occupying tenants of such residential premises. The mandatory HMO licensing scheme covers properties occupied by five or more people making up two or more households. The District Council maintains a register of all HMOs in East Devon that are licenced by the Council under the 2004 Housing Act. Licencing relies on a different definition and more details are on the Council's website.

Provision for Gypsy and Travellers, and Travelling Showpeople Sites

The Gypsy and Traveller Accommodation Assessment (September 2024) identifies a need for:

- Around 32¹⁷ permanent pitches to accommodate Gypsies and Travellers;
- a joint protocol (with Exeter, Mid-Devon and Teignbridge Councils) for quantifying and addressing transit need, and the potential for permanent public transit provision; and
- 0 plots for Travelling Showpeople (noting that need can already be met through existing, consented but undeveloped plots at Clyst St Mary)

New Sites

- 15 permanent, serviced pitches are to be provided as part of the mixed use development at the New Settlement in East Devon. At least 10 of these must be delivered during the plan period.
- 5 permanent, serviced pitches are to be provided on a site east of the M5 and south of the Exeter-Waterloo line
- 15 serviced permanent pitches are to be provided at the Cobdens and Treasbeare Expansions Areas in the adopted Cranbrook Plan DPD.

48. Strategic Policy HN09: Provision for Gypsy and Travellers, and Travelling Showpeople Sites

New Sites

Proposals for permanent or transit sites (allocated and/or permissible) will need to satisfy the following criteria:

- Located inside or adjoining a settlement boundary, or within 15 minutes travel time by safe, walking, cycling or public transport providing access to a range of services including school and health services
- The size of site and number of pitches is appropriate in scale and size to the nearest settlement in the settlement hierarchy and its range of services and infrastructure. Sites shall not exceed 15 pitches as a maximum.
- The site can be assimilated into the surrounding landscape without significant adverse effect
- Acceptable vehicular access, on site turning, parking and servicing can be achieved
- The site is not vulnerable to flooding or affected by any other environmental hazards that may affect the residents' health and welfare
- Essential utilities - water supply, sewerage, drainage, waste disposal- are available on or close to the site and will be connected.
- Preference will be given to the expansion and intensification of existing sites, subject to maximum site threshold of 15 pitches. If expansion or intensification is impractical, then account will be taken of the cumulative impacts of additional sites on the character of the local area and on the local community

In addition to meeting these requirements, planning applications for gypsy and traveller pitches, or plots for travelling showpeople, on windfall sites in the countryside outside settlement boundaries must demonstrate:

- the status of the applicant / intended occupant/s meet the national definition for gypsy, traveller or travelling showpeople and the pitch or plot will be occupied by at least one person with a strong local connection to East Devon district;
- there is a proven unmet need for new pitches or plots, having regard to the supply of deliverable pitches or plots and their availability to gypsies and travellers or travelling showpeople who have a strong local connection to the district.

Safeguarding Sites

Existing authorised sites, sites with planning permission, and allocations for Gypsy and Traveller Use or for Travelling Showpeople use will be safeguarded for the number of pitches/plots permitted.

If, in exceptional circumstances (such as long term vacancy and a demonstrable lack of need), changes of use or redevelopment to non-Gypsy/Traveller or Travelling Showperson's accommodation use are permitted, then, if need exists in the District, suitably located and laid out alternative provision must be provided prior to the loss of the existing site or part of thereof.

Justification for inclusion of policy

National planning policy¹⁸ requires the LPA to assess the accommodation needs of Gypsies, Travellers and Travelling Showpeople and to set pitch and plot targets for Gypsies and Travellers and for Travelling Showpeople that address the likely permanent and transit site accommodation needs of travellers in the District, working collaboratively with neighbouring local authorities.

Need

Evidence of the needs for Gypsy and Traveller and Travelling Show people accommodation is provided by a Gypsy and Traveller Accommodation Assessment, not by the 2020 LHNA. Evidence in the GTAA 2024¹⁹ establishes that there are existing pitches distributed throughout East Devon, mainly concentrated in western areas of the District, close to main travel routes, particularly the A30. Most of the immediate need arises from overcrowding of, and newly formed families (usually children reaching maturity and having their own children), on existing sites who wish to stay close to their extended family.

A new GTAA has been produced to cover the period 2024-2045. This provides detailed evidence at a District level and was produced collaboratively with the four Councils of East Devon, Exeter, Mid Devon and Teignbridge.

Transit Provision- The GTAA does not identify a specific need for a transit site, or indicate a preferred scale of provision or location within the 4 Districts. Instead, it recommends making temporary or 'negotiated' stopping places available at times of increased demand such as fairs or cultural festivals (none of which currently occur in East Devon). It is recommended that the authorities jointly monitor and manage unauthorised encampments and work collectively to consider a joint protocol for addressing transit need, and the potential for permanent public transit provision.

Permanent Provision- The GTAA shows that in the period up to 2045 there is a need for :

- 20 pitches for households that met the planning definition. This is made up of 1 household on an unauthorised development; 8 concealed or doubled-up households or single adults; 3 pitches from a 5-year need from teenage children; and 8 from new household formation³, using a rate of 1.20% derived from the household demographics.
- Up to 8 pitches for undetermined households. This is made up of 4 households on unauthorised developments; and 4 from new household formation, derived from the household demographics using the ORS national formation rate of 1.50%.
- 4 pitches for households that do not meet the planning definition (but are recognised as 'cultural' Gypsies or Travellers). This is made up of 1 household on an unauthorised development; 1 concealed or doubled-up household or single adult; and 2 from a 5-year need for teenage children. There is no need from new household formation as there are no children under the age of 13.
- 0 plots for Travelling Showpeople

In general terms need identified in a GTAA is seen as need for pitches. As set out in Chapter 4 of this report, the now withdrawn Government Guidance on Designing Gypsy and Traveller Sites recommended that, as a general guide, an average family pitch must be capable of accommodating

an amenity building, a large trailer and touring caravan, parking space for two vehicles and a small garden area.

The approach to allocating pitches recognises that, whilst some Gypsies and Travellers do not meet the planning definition (for example because they have ceased to travel), they have the right under the Equalities legislation to live in a way which is culturally appropriate. Sufficient pitches have therefore been allocated to ensure that all of the need for pitches is met.

Supply

Planning policy requires the LPA, in producing a local plan, to identify and update annually a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against locally set targets; and identify a supply of specific, developable sites, or broad locations for growth for years 6-10. The allocated sites at Cranbrook are anticipated to be delivered within the first 5 years and will meet this initial requirement.

Existing planning permissions - The plan requires up to date evidence about the supply of pitches available from sites with planning permission that have not yet been implemented. It is needed both for plan making and for assessing the 5 year supply position for Gypsy, Traveller and Travelling Showpeople accommodation. The latest evidence is published in "Status of Traveller Sites" monitoring reports which are updated at least every 5 years and the most up to date version will inform planning decisions.

Allocations - Sites providing pitches for gypsy and traveller and travelling show people use are allocated in the development plan. The Cranbrook local plan provides for 15 pitches on the Cobdens and Treasbeare Expansion Areas in 2 site allocations. These sites would contribute to supply in the 2020-2040 plan period and enable families on the overcrowded Sowton and Broadclyst sites (as well as others) to remain living locally as family groups. The legal agreement provides evidence that there is a realistic prospect of delivery in the next 5 years so the Council will count them as deliverable for the purposes of the 5 year supply assessment required by NPPF.

An allocation at the new community proposed in this Plan will provide 15 pitches, although delivery is unlikely to commence until the middle of the Plan period. Land for a further 15 pitches will be safeguarded beyond the plan period to meet all/some of the likely future need but this doesn't count towards the need identified in the GTAA.

A further site, east of the M5 and south of the Exeter-Waterloo line is allocated for at least 5 pitches. These could be delivered in the short to medium term and will ensure that there is sufficient supply if provision at the new community is delayed.

Bricks and Mortar housing - As well as a need for sites providing pitches and plots for Gypsy and Traveller and Travelling Showpeople, there could be some requirement for bricks and mortar housing to meet their needs. The new GTAA has not identified any such need but the Council considers that such need will be met by the provision requirement for general housing in Strategic Policy 4 in any case.

Travelling Showpeople sites supply - Prior to 2009 there was one established Travelling Showpeople site in East Devon which predates the planning system. A further site in East Devon close to Exeter and the M5, was granted planning permission for 9 plots in 2011 (09/1486/MFUL at Clyst St Mary). This accommodated three displaced plots in Teignbridge and a further 6 plots for extended family members on other, overcrowded, sites in south west England. To date, 4 of the 9 plots have been developed and the new GTAA considers that the supply of consented but as yet undeveloped plots

would meet the needs of Travelling Showpeople during this plan period. In any case, the GTAA has not identified any likely additional need to 2045.

49. Policy HN10:

Rural Exception Sites

Rural exception site proposals will be supported, provided that they are not disproportionate in size and form to the host settlement and they:

1. Are physically well related to the built form of the host settlement; and
2. Provides affordable housing meeting proven, unmet need of the local community, evidenced by the latest East Devon Local Housing Needs Assessment, Housing Needs Surveys or other local data such as a Neighbourhood Plan, Parish Survey or Parish Plan; and
3. Occupiers have a local connection with the settlement or group of settlements. If occupiers meeting the relevant local connection criteria cannot be found then a cascade approach will be agreed, including registered providers, East Devon District Council, Community Land Trusts

For any development allowed under this policy the dwellings must be retained in perpetuity and there will need to be evidence to demonstrate that secure arrangements will be in place ensuring the housing will remain affordable and available to meet the continuing needs of local people.

A small element of market housing may be included on any development, to provide sufficient cross-subsidy to enable the delivery of affordable homes without grant funding. At least 66% of dwellings proposed must be affordable dwellings.

Justification for inclusion of policy

Exception sites are sites brought forward outside of development plans, beyond settlements, in order to deliver affordable housing. Exception sites deliver housing as an 'exception' to other policies in the development plan which otherwise restrict development.

The policy is essential in this rural area, where affordability is such an issue. It enables the local plan to support the Council Plan's aim to deliver more affordable housing and aligns with the East Devon Housing Strategy, offering new opportunities for the emerging models for affordable housing delivery.

National policy allows a small amount of market housing as a cross-subsidy, enabling affordable housing delivery without the need for grant funding. The proportion of market homes allowed on site is set at a minimum 66%. Exception sites are, by definition, an exception to the standard housing delivery, so the option to make a viability argument on such sites does not apply.

The East Devon Local Housing Need Assessment 2022 provides evidence about the scale of need for affordable housing.

50. Policy HN11:

Housing for rural workers

1. Applications for rural workers dwellings outside settlement boundaries will be permitted where:
 - a. It can be demonstrated that the nature and demands of an existing rural business are such that a full time worker has an essential need to be permanently resident at or near their place of work so they are available at most times;
 - b. The need cannot be met within a nearby settlement, or by existing housing at or near the site or through the conversion of a suitable redundant or disused rural building at the site;
 - d. The size and scale of rural workers dwellings will be commensurate with the needs of the holding and no bigger than 150 sq m (gross internal area) and designed to reflect the location and setting of the proposed site;
 - e. The development will minimise the visual and environmental impact by locating the dwelling close to existing buildings /dwellings, where practical for its purpose; and
 - c. The rural enterprise has been established for at least three years, is currently financially sound based on functional and economic tests, and the business has clear prospects of remaining viable.
2. The Council will take into account the history of the holding, the recent pattern of land use and building and, recent disposals of land and property when determining a planning application for housing for rural workers.
3. Where an agricultural, horticultural, forestry or other rural business is not yet established or the need is unproven, then a temporary dwelling such as a mobile home or caravan, may be permitted for a time limited period of up to three years, until the economic viability of the enterprise is established, subject to:
 - a. Meeting the criteria of 1b) to 1e) above;
 - b. A firm intention and ability to develop the enterprise; and
 - c. The business has realistic prospects of meeting functional and economic tests.
4. Permission for a rural worker dwelling will be subject to an occupancy condition to ensure that it cannot be sold on or sublet for general accommodation unrelated to the enterprise. Removal of such a condition will only be permitted where there is clear evidence that there is no need for the condition to remain in place.
5. Any permission granted will be tied through legal agreement to the business holding.
6. Extensions to or replacement of agricultural or forestry or rural business-related dwellings will require a reassessment of need, excluding minor works.
7. Exceptionally, temporary or seasonal accommodation requirements to serve rural enterprises will be considered on a case-by-case basis.

Justification for inclusion of policy

Housing need includes the need for new dwellings for rural workers. For the purposes of this policy, a rural worker is a person whose place of work is located in, and related to, the countryside and is a person employed in agriculture, forestry or a similar, land-based rural enterprise. Employment on an assembly or food packing line, or the need to accommodate seasonal workers for example, will generally not be sufficient to justify building isolated rural dwellings.

To promote sustainable patterns of development rural workers will usually be expected to find housing in existing rural towns and villages. However, an exception can be justified where it can be demonstrated that a rural worker has an essential need to be available at most times as part of the operation of a rural business in accordance with national policy and PPG regarding the need for isolated homes in the countryside for essential rural workers.

This policy supports enterprises in the rural economy whilst limiting sporadic development in the countryside. From time to time, there may be special circumstances that justify this taking place; for example, it may be essential for a rural worker to live permanently at or very near their place of work. Whether this is essential depends on the needs of the enterprise and not on the personal preferences or circumstances of any of the individuals concerned. Need can include those taking majority control of a farm business.

When considering such proposals, the history of the holding, the recent pattern of land use and building and, recent disposals of land and property, will be taken into account. The recent sale of land and property could constitute evidence of lack of need. Any existing or permitted dwelling serving or closely associated with the holding has been sold or changed from residential use, or separated from the holding or agricultural buildings converted to unrestricted residential development (including Use Class Q) within the previous three years will count against the need assessment.

The policy sets a maximum size of dwelling, at 150 sq.m of Gross Internal Area floorspace, which has been informed by planning precedent in East Devon, including appeal decisions. Internal living space including internal areas/circulation/stairs and storage, plus garage (internal or detached) are counted in that area. This threshold recognises that housing for an agricultural worker may include additional space requirements, such as a boot room, utility and ground floor shower room; and only in respect of the principal dwelling on a holding further space may be required to accommodate an office. Only exceptionally might the Council consider a dwelling above the threshold size, and evidence will be required to demonstrate why the additional floorspace is essential for the proper functioning of the enterprise. For the avoidance of doubt, any uplift from the floorspace standard would not be supported, if proposed simply to provide additional living accommodation.

Robust evidence will need to be provided by applicants regarding functional and economic tests, and occupancy/eligibility criteria. This will require a business plan to set out projected future operations, rural business financial assessment, and demonstrate future operational viability. The detailed tests and criteria will be set out in an SPD].

The approach of permitting a temporary dwelling on the holding for a limited time allows time for evidence to be gathered to demonstrate the viability of a new enterprise. Renewal of the temporary dwelling is only considered where it would provide continued occupation whilst a permanent dwelling is constructed on the holding.

Exceptionally, temporary or seasonal accommodation proposals may be considered. They would need evidence to demonstrate a proven business case for accommodation; that there is no appropriate accommodation available in nearby settlements; and the mitigation of impacts.

East Devon Local Plan – Topic Paper

Chapter 8. Meeting Housing Needs for All

November 2024 – Version 01



East Devon – an outstanding place

Contact details

Planning Policy Team
East Devon District Council
Blackdown House, Border Road
Heathpark Industrial Estate
Honiton
EX14 1EJ

Phone: 01395 516551

Email: planningpolicy@eastdevon.gov.uk

<http://eastdevon.gov.uk/planning/planning-policy/>

To request this information in an alternative format or language please phone 01395 516551 or email csc@eastdevon.gov.uk

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1 Introduction

- 1.1 This is one of a series of topic papers that will sit behind and help explain the content of and evolution of the Publication draft of the East Devon Local Plan.
- 2.1 There may be new versions of this topic paper as plan making progresses to Publication and thereafter into and through plan Examination.
- 3.1 This topic paper specifically addresses Chapter 8 of the plan – meeting housing needs for all.

2 The Publication draft of the Local Plan

- 2.1 At the date that we published this draft topic paper we are moving towards production of the Publication draft of the local plan. There are specific Government regulations[□] that apply to local plan making and these set out actions that need to be undertaken at different regulatory stages (this report specifically relates to Regulations 18, 19 and 20).
- 2.2 The proposed Publication draft text of the local plan will be an edited and amended draft of the consultation draft plan published in November 2022[□]. The draft plan was consulted on under plan making Regulation 18 and it should be noted that further limited additional consultation under this regulation took place in the late Spring of 2024.
- 2.3 The Publication plan, under Regulations 19 and 20, will be made available for any interested party to make representations on. The period for making such representations is currently planned to be from December 2024 to January 2025. The Publication plan, representations received and other relevant paperwork will be submitted for Examination, to a target date of May 2025. One or more Planning Inspectors will undertake the plan examination.
- 2.4 The first drafts of what is proposed to become the Publication plan will be considered by the Strategic Planning Committee of East Devon District Council through 2024. The expectation is that text will then be refined as the year progresses with a view to the Committee being asked to approve the final Publication plan in November 2024.

3 Summary of proposed redrafting of Chapter 8 of the consultation plan

- 3.1 In amending the chapter for Strategic Planning Committee for November 2024 a number of changes have been made from the text that was in the draft

[□] [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(legislation.gov.uk\)](https://www.legislation.gov.uk)
[□] [commonplace-reg-18-final-071122.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/commonplace-reg-18-final-071122.pdf)

3.2 Chapter 8 has been edited down quite considerably to simplify presentation and concentrating on the most significant issues and removing matters not directly relevant to planning policy considerations and local plan provision. This has included some text that was about the stages of plan making work we were previously at and the plan making work going forward.

3.3 Key more detailed changes to the plan, from the consultation draft to this redrafting, include:

- Highlighting in policy the aspiration to secure accommodation for younger people to assist in supporting a younger workforce.
- Removal of First Homes from policy on affordable housing and more so for policy throughout the plan. First Homes are an affordable housing type that applies a discount to market house sales. But they are not favoured by the current Government and their provision has not been supported through plan engagement. There is minimal evidence of the development industry wishing to see them developed and other forms of affordable housing are seen as far more credible and desirable. We will, need to keep this under review given that we are seeking to progress the plan under transitional arrangements that mean it would be assessed against the December 2023 version of the NPPF which includes reference to requirements for First Homes. However the hope is that, given that this is not the new governments policy and they would not meet the identified needs in East Devon, the removal of reference to them would not be challenged.
- Under affordable housing policy we have placed the emphasis on social rent provision. The affordable housing policy will, however, need to be subject to careful scrutiny under viability assessment.
- We have lowered expectations for elderly person housing delivery. In the draft plan they are considered to be too high and demanding, and site size threshold on which they would be required are too low.
- Policy on accessible and adaptable homes seeks somewhat lower levels of provision noting that the needs in the draft plan were not realistically justified, we were duplicating provision that would otherwise be provided through other, social care means and as drafted previously plan policy would have very significant cost implications.
- We have removed the Policy that specified the mix, by bedroom sizes, sought on new housing development sites. This is seen as being too prescriptive and that better outcomes will be achieved in terms of consideration of actual applications that come in and responding to site specific considerations.
- For rural exception housing sites we have deleted the 15 dwelling upper size threshold. Noting that some schemes may reasonably be for larger developments given local needs. But we would still seek to ensure that any development allowed is not disproportionate to the size of the host settlement.

4 Issues and Options consultation

- 4.1 Prior to production and consultation on the draft local plan the Council consulted on a local plan Issues and Options[□] report. This included a series of questions that responses and comments were invited on. A feedback report was published[□].
- 4.2 Feedback on comments is set out further on in this report.

5 Draft plan consultation

- 5.1 In the draft plan consultation Chapter 16 formed one of the plan chapters that was consulted on. A full feedback on the consultation can be viewed at - [accessible-reg-18-consultation-feedback-report-spring-2023.pdf \(eastdevon.gov.uk\)](#)
- 5.2 Comments on matters raised and officer responses are set out in the table below. There were a significant number of comments in respect of housing policy, but more so in respect of housing numbers being planned for, with many challenging them over being too high but also, especially from a developer perspective, of challenges that they were not high enough. That said, this chapter of the plan is not for the most part directly considered with the actual numbers of houses planned.[

6 Further Regulation 18 consultation Spring 2024

- 6.1 In the late Spring of 2024 there was further Regulation 18 consultation on selected topic matters. Community buildings and facilities were not matters that were explicitly consulted on. No specific relevant feedback is noted in this report, though it is recognised that some matters consulted on could impact, under final plan policy, on sites that may be allocated for development.

7 Sustainability Appraisal feedback

- 7.1 The draft local plan was supported by a Sustainability Appraisal[□] (SA). This SA will be updated and refined as plan making progresses and it will be one of the documents that is submitted as part of the submission for Examination.
- 7.2 The SA report of the draft plan was supportive of the policy approach being taken forward.

[□] [issuesandoptionsreport-jan2021.pdf \(eastdevon.gov.uk\)](#)
[□] [2a. Consultation feedback report Ver 03.pdf \(eastdevon.gov.uk\)](#)
[□] [sa-of-pos-consultation-draft-lp_2022.pdf \(eastdevon.gov.uk\)](#)

8 Habitats Regulations Assessment

- 8.1 The local plan will need to be assessed under the Habitat Regulations. An preliminary assessment of policies in the draft plan has been produced – [east-devon-local-plan-hra-110723-2013-doc-from-footprint.pdf](https://www.eastdevon.gov.uk/media/110723/2013-doc-from-footprint.pdf) ([eastdevon.gov.uk](https://www.eastdevon.gov.uk))
- 8.2 The assessment work did not identify any concerns in respect to the policies in the draft plan.

9 Repetition of theme in representations and avoiding duplication of responses

- 9.1 Housing matters, including the number of houses being planned for and policies around d such matters as housing mix, locations for development and affordable housing have received many representations through consultation – more so than for any other local plan topic matter.
- 9.2 In preparing this topic paper it is clear that many themes and issues have been repeated many times with minimal or no real variations) in comments made at different stages of plan making work. We fully acknowledge the importance that representors attach to the points raised and in this document we include summary feedback of matters highlighted. However, to avoid repetition of officer responses, somewhat repeatedly through various parts of this report, we have sought to not included feedback in later report sections where we consider matters have already been addressed in response to earlier comments (earlier chronologically as set out in the document) are made.

10 Assessment of policies in chapter 8

- 9.1 Chapter 8 of the draft plan set out a series of policies that are reviewed below.

General issues raised on Chapter 8	
Key technical evidence sources	
The housing chapter of the plan has primarily drawn on the ORS Housing Needs Assessment report - East Devon, Exeter, Mid Devon and Teignbridge Local Housing Needs Assessment 2022	
Issues and options consultation	
<p>Paragraph 5.10 of the Issues and Options report identifies nine housing policy areas, including encouraging more self-build homes, allocating sites for retirement housing and setting minimum space standards for new homes.</p> <p>Most respondents, 67%, ticked the yes box to the question about whether these 9 policy areas are appropriate to be addressed in the new local plan. Their comments on the nine additional housing objectives largely focused on applying other proposed local plan objectives to these policy areas, indicating potential aspects of Local Plan housing policy.</p> <p>A number of respondents did suggest other major housing policy areas as well. A few responses to other questions also suggested housing policy areas. There is some overlap with other policy areas, notably design, climate emergency, jobs/economy and natural environment.</p>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> It is noted that the policy areas identified in the issues and option report were generally regarded as appropriate subject matters/ areas for inclusion in the local plan.
Draft Plan consultation	

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<p>Key issues raised in consultation:</p> <p>Overarching comments</p> <ul style="list-style-type: none"> • Some developers challenge the suite of housing need policies. • The ability for the vision, homes and jobs to be delivered must be central to the setting of Local Plan policy but they do not consider this is the case. The Plan’s approach, viewed as a whole, is in grave danger of impacting negatively on delivery of housing. • The plan almost completely relies on the private sector to deliver the plan aims/objectives but the endless ratcheting up of policy requirements will kill the goose that lays the golden eggs. This will be to no one’s benefit. For my client to build 100 of the dwellings he wishes to build, he has to, according to draft policy, find land for 1000 dwellings with sufficient additional land to provide the aspirational 100% BNG and also some employment land, which may or may not relate to any market demand. • One respondent commented that this section is too prescriptive. The LPA must have control but should put the Councils/national Vision as the driving force, which can get lost with multiple sub points in each policy. Recognise that the world in 10 years will be very different to now. Questions whether a more prescriptive policy will remain fit for purpose • Keep exceptions to a minimum to avoid abuse of policies. • Another wants coherent strategic thinking that addresses specific housing need in rural areas and the climate change crisis at the same time • The East Devon AONB team note that AONB’s are included as part of a designated rural area for the 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • The vision in the plan has been significantly changed from that in the draft plan. The vision and the policies that follow from it have been drafted to set out a strategy to deliver required levels of housing, as a minimum, as set out in national planning policy. • The plan is being reviewed to ensure that policies add up in viability terms. Final policies will be adjusted to ensure plan viability. • The plan seeks to set an agenda that establishes outcomes sought whilst still providing flexibility. Policies have been redrafted to be less prescriptive and to avoid seeking to address every possible scenario. It is relevant to build in flexibility on policy to acknowledge that exceptional or atypical circumstances can and do arise. • The plan seeks to strike a balance for housing provision in all areas, but is also seen against an appreciation of a range of other considerations, including climate change concerns. • In the AONBs the local plan, through housing and other policies, will seek to meet broader AONB objectives.
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<p>purposes of locating affordable housing, and suggest that even if there is a proven need for affordable housing it should meet NPPF □□□ if required, be located and designed to respect the aims and purposes of the AONB designation and include an appropriate LVIA.</p>	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> This consultation did not specifically seek comment on housing policy matters, though it is highlighted that there were a number of potential housing allocations in Green Wedge and Coastal Preservation areas that were consulted on. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> If it is ultimately deemed appropriate to allocate housing or development on sites in Green Wedge and Coastal Preservation areas the expectation would be that the landscape designated would be removed.
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below.</p>	
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> The housing chapter policies in the draft local plan raised no direct concerns in the draft Habitat Regulations Assessment work. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> No specific points are noted.
<p>Commentary on policy redrafting for the Publication Plan</p>	
<p>On a general level policies in this chapter of the local plan have been simplified and edited down, concentrating on key themes and matters.</p>	

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Strategic Policy 39 – Housing to Address Needs	
This overarching local plan sets an overall picture for the policies of the chapter and describes the broad housing types sought and means for delivery.	
Key technical evidence sources	
The primary housing needs evidence is set out in the ORS report - East Devon, Exeter, Mid Devon and Teignbridge Local Housing Needs Assessment 2022	
Issues and options consultation – it should be noted that comments noted below also apply to many of the comments received on the draft plan consultations, specifically and directly as relevant to Strategic Policy 39. These feedback comments broadly relate to subject matters covered in Strategic Policy 39, though also touch on other policies in the draft plan as well.	
<p>In Chapter 5 of the Issues and Options report we set out the current Government requirement for us to build at least 928 new homes a year (although this figure can change). Paragraph 5.4 explains that we may need to almost double the number of affordable homes (to 461 every year for the next 20 years) to meet current and future needs. We asked about what level of housebuilding people would favour.</p> <p>Of the respondents that favoured an alternative number quite a lot stated (or it could be inferred) that they favoured a level below 928. Had a below 928 been an option it might be expected that some respondents would have ticked that box. We will seek to do further work looking into possible numbers.</p> <p>Comments that were received are summarised below under broad subject area headings.</p>	<p>Officer commentary in response:</p> <p>Housing need feedback commentary</p> <ul style="list-style-type: none"> • A great many of respondents questioned overall levels of housing proposed. However, matters have moved on since the issues and options report with the new government setting out minimum housing requirements that at the time of drafting the proposed Regulation local plan establish a clear need, with extremely limited flexibility to do otherwise, to plan for delivery of an average of at least 946 new homes per year. Though this may change should a new NPPF be published in late 2024/early 2025 (or indeed at any other time). • It is relevant to understand needs for differing types of people, specifically affordable housing, but these need to be seen within the context of Government minimum housing members.

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<p>HOUSING NEED</p> <ul style="list-style-type: none"> • Whose need/What type of need? • Government’s ‘Local Housing Need’ is not need, it’s demand/want/aspiration • Only plan on the basis of affordable housing need relating to local residents • Want need assessment to focus on needs of specific groups • Prioritise meeting needs for younger people/economically active • Prioritise meeting needs of an ageing population; older household downsizing • East Devon’s need assessment should not be used to provide dumping ground for large conurbations to buy up housing and move its problems here • Standard method for assessing local housing need (LHN) • Need clarification of how new house building is forecast why and where. Is it government use of disastrous algorithms or "guesswork"? • Government should focus on its levelling up agenda, less on East Devon • Are Government requirements applicable to East Devon? • Challenge e.g. by CPRE to standard method/underlying assumptions/use of 2014 National Household Projections – advocating much lower figures • EDDC must challenge the Standard Method & its use. ORS report –standard method giving 900pa (18,000) includes 1677 dws for net in-migration increase; 70% of 	<ul style="list-style-type: none"> • We have no evidence of (and suggest it would be hugely unlikely) that other local authorities would buy houses in East Devon to house residents from their area. • We note that there were a lot of challenges to the worth and application of the standard method for calculating housing numbers. Such matters are effectively outside of the control of the Council and as such are not commented on in this feedback report. Scope to present a case for exceptional circumstances applying a lower number is less now than it possibly used to be (though in reality there was previously limited scope) so it is not deemed credible to pursue such an option. • It is not considered to be appropriate to plan for housing delivery that would be substantially in excess of standard method outputs (either those of the current government or previous government standards/levels. Work for the Council by ORS establishes a 'need; level taking into account demographic trends and household formation data. This work shows a picture of housing 'needs' falling some way below standard method outputs. The implication in the ORS work is that if standard method numbers are built the occupation of houses would come about through additional net additional in-migration (above that arrived at through use of demographic assessment) into East Devon. • Assessment work by ORS shows a match between future jobs, under a clean job growth agenda, and the net increase in workers resulting from new housing growth. The jobs are marginally higher than workers in East Devon but this situation is reversed by some way across greater Exeter as a whole.
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housing built in previous plan period occupied by in-migrants. Impact on local residents' well-being

- Use of emerging evidence e.g. new population estimates, projections and 2021 Census data. Will it show that population is less than the level which informed 2014 household projections? – possible impact of Covid and Brexit
- East Devon population is shrinking. Why are more homes needed?
- Want LHN based on proper needs assessment of local population eg local parish surveys
- Standard Method (SM) – amount of need
- 928pa is too high, it will drive up in-migration. Local residents' need is much less.
- PPG allows lower than SM figure provided there are exceptional circumstances
- Why oversupply homes to deliver need to meet affordable housing?
- Want housing need to reflect minimum LHN figure based on standard method
- Further uplift to housing need figure
- 928 dwellings pa is too low. Want LHN figure to be above standard method
- PPG indicates if previous housing delivery exceeded minimum LHN, LPA should consider if this level of delivery is indicative of greater housing need. Delivery in the last 4 of last 7 years has been higher than LHN. Basing requirement on this LHN is not 'boosting supply'
- LHN figure is below the current Local Plan annualised requirement

- Standard Method is only a starting point. PPG advises there may be circumstances for increasing the LHN above Standard Method rate
- House price to annual work place based earnings increased from 6.0 in 2000 to 10.57 in 2019. East Devon's affordability ratio is one of the lowest in country.
- Must consider the reasons why significant uplifts taking may be needed, e.g.:
- Demographic change
- Market signals relating to housing affordability
- Meeting all Affordable Housing Need (including all affordable home ownership aspirations). Additional to the Standard Method's affordability uplift. The ORS figure of 461 pa Affordable Housing Need is twice the delivery rate achieved in recent years
- Economic aspirations/economic projections. Will there be sufficient working age population? Exeter and East Devon Enterprise Zone has a growth agenda. May need housing above LHN to support EZ ambitions
- Meeting unmet need from neighbouring areas (Duty to Cooperate) e.g.
- Lyme Regis – Dorset Council -. Limited opportunities at the town to meet needs for affordable homes and employment. Should consider opportunities in the vicinity of Lyme Regis to help meet the needs of the constrained town. Sites in East Devon well related to the town may be more suitable than sites in Dorset. Developer comment - Adopted East Devon Local Plan's commitment to work with West Dorset DC, Uplyme PC & Lyme Regis TC to explore solutions to meet local needs at Lyme Regis. Have collaborative discussions occurred & DtC been met?

- Torbay Council advised GESP that Torbay is unlikely to accommodate its standard method LHN (586pa) beyond 2030. East Devon Local Plan needs to take account of neighbouring needs as part of ongoing consideration of cross boundary needs.
- Exeter City – (developer comments) East Devon already meets a substantial part of Exeter’s need. This will continue. Exeter Core Strategy Requirement total of at least 12, 000 fell short of the 15,000 need. Shortfall in Exeter supply/delivery. East Devon Issues and Options paper didn’t consider this matter but it can’t be ignored. If Exeter cannot meet its needs within its boundary, then may need to consider how East Devon could help meet this unmet need
- 2014 household projections used in standard method are not fit for purpose. They rely on past trends- a period of suppressed household formation. Increase LHN to address huge past under supply/national housing crisis
- Should use much higher LHNA figure. Comments suggest a range of figures:
- At 30% provision, 461 dws equates to 1536 pa (30720 over 20 years). Achieving a lower % of affordable housing raises the rate further
- over 1600 pa (i.e. previous Government SM figure)
32,000+ dws total
- significantly more than 1614 pa, helping to meet Exeter City needs
- Increase LHN to 2000+ dws pa (40,000+ over 20 years)
- If the Council are seeking to fully meet the 461 AHN and if affordable provision of new homes is 20-25%, then the total local housing need would be 1,844-2,305 dws pa

<p>(equates to 36,880 and 46,100 total dws over 20 years – this will be a challenge)</p> <ul style="list-style-type: none"> • Unmet East Devon Housing Need South Somerset DC seek confirmation through Duty to Cooperate that EDDC are able to meet their own housing needs within the District 	
<p>HOUSING SUPPLY</p> <ul style="list-style-type: none"> • Comments divide into expand/accelerate supply (largely developers/ landowners) and constrain new build/use other sources (communities) as follows: • Local Plan must comply with the Government policy and guidance. Must meet tests of soundness, e.g. be consistent with NPPF on boosting housing supply • Local Plan needs to allocate more land for housing development. Several respondents used their Q8 response to support allocating their site • For supply forecasts to be realistic, evidence needs to be consistent with NPPF and PPGs • Large proportion of commitments are in the control of a small number of developers risky strategy. Too much reliance on a major site (Cranbrook) • Need for a degree of flexibility in supply, to ensure housing requirement is met • Already built more than we need. Devon CPRE shows East Devon provided 33% (1155) more housing than current Local Plan required in the past 5 years. Can recent over-supply be counted towards meeting Local Housing Need? • Supply constraints - developers not using land holding. Don't allocate more 	<p>Officer commentary in response:</p> <p>Housing supply feedback commentary</p> <ul style="list-style-type: none"> • Meeting local plan tests is understood and will be applied in plan drafting. Consistency with NPPF, PPG and other rules and guidance will be applied. • The local plan will provide for a t least standard method housing numbers. • We note that there are some large sites where a small number of developers have control of sites, but this is something of an inevitability where big schemes such as Cranbrook are proposed. It is important to recognise that Cranbrook is delivering and has delivered substantial housing numbers. People are happy to live there and those that don't have wide options to choose elsewhere. • The drafting of the local plan will ensure flexibility, through site provision, is made. • With a start date of 2024 housing numbers will be calculated from that date bearing on mind requirements in place. • We have no substantive evidence of developers not bringing forward sites for development. Though large sites such as Cranbrook will be phased. • With respect to what developers build we need to work within the context of planning and wider rules that exist and apply.

<ul style="list-style-type: none"> • Developers’ business models control speed of delivery and focus on narrow range of development/house types and sizes that maximise profit, not need. • Want no new build but could make better use of existing homes (use empty homes; subdivide), better use of land (higher densities), reuse land (redevelop brownfield) • Convert offices to small units - meet homeless/young people’s housing needs • More Method of Modern Construction dwellings; More self-build/custom build • 	<ul style="list-style-type: none"> • Empty homes and other sources of non-development offer only limited potential. New homes and sites will be needed to meet Government requirements. This also applies to office and other conversions, plus such conversions result in the loss of employment premises and opportunities. • The plan does not oppose modern construction methods but it is considered that they cannot be established as a requirement. We have plan policy for self-build.
<p>HOUSING REQUIREMENT</p> <ul style="list-style-type: none"> • Plan must set a strategic policy net housing requirement expressed as a minimum for the plan period for market and affordable dwellings, in line with government policy. • Requirement figure must be justified by evidence, to demonstrate how the figure has been derived and is it realistic and achievable More work needed to evidence exact requirement, assess the likely proportion of homes that are affordable, and how far this meets need • Requirement should not be below the level of need, including affordability • Requirement should be realistic and achievable, meet full range of housing needs (specialist needs of the elderly, affordable and specialist housing) • With a 30% affordable housing requirement on sites, applied to 1614 pa need over 20 years equates to 32,280 dws requirement (about 9,684 affordable homes). Is it 	<p>Officer commentary in response:</p> <p>Housing supply feedback commentary</p> <ul style="list-style-type: none"> • The plan does refer to minimum numbers, noting Government wording. • We have robust evidence on demographic need requirements, though these are superseded and exceeding by government standard method numbers. • We are planning to meet a full range of housing needs. • It is not seen as realistic or credible to plan for sufficient housing overall so that full affordable housing needs would be met as a percentage of these. Good credible sites to allocate do not exist and full housing numbers would be highly unlikely to be built. • In the next draft of the plan neighbourhood plan housing numbers will be stated.

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<p>achievable? Taking account of environmental constraints; 1200 - 1614 pa is more realistic, deliverable</p> <ul style="list-style-type: none"> • Increase housing provision across the district; growth address housing shortages • Need to evidence the impact of requirement figure • Local Plan should provide requirement figures for Neighbourhood plans • Neighbourhood plans should determine their housing needs/requirements • Policy target should be expressed as a maximum • The higher the target the harder to achieve, not demonstrating 5 year supply • Housebuilding has over-delivered - can we reduce the new plan target because current supply exceeds existing housing policy requirement • Council should not plan or commit to any specific figure for new houses -focus on redevelopment/conversions/brownfield land • Plan for little as possible new development. East Devon is overdeveloped • No more housing. Should not set policy targets, they are arbitrary • Should have a negative housing requirement if we want sustainability 	
<p>HOUSING AND SPATIAL STRATEGY</p> <ul style="list-style-type: none"> • Links between spatial strategy, distribution of housing, meeting requirement • Locate housing near employment or accessible by public transport 	<p>Officer commentary in response:</p> <p>Housing supply feedback commentary</p> <ul style="list-style-type: none"> • The allocations in the plan, in quantitative terms, align with plan strategy.

<ul style="list-style-type: none"> • Restrict new housing to cities/towns; but avoid urban sprawl • Opportunities for major scale development delivering housing; but risks of relying on this • No more housing near Exeter; area is over developed. • More housing in and at villages • Wider dispersal of housing across the district e.g. to support smaller settlements. Broad issue of no housing in the countryside (potentially this comment could include isolated development, Class Q development, rural workers housing) • All of new housing built needs to be evenly distributed over all East Devon • What is the impact of new housing on existing neighbourhood and residents • Scale of development continues the concreting over the countryside • Prioritise use of brownfield land for housing sites • Make best use of land; avoid cramming and cramped dwellings, need better quality/ energy efficient homes. Demand for more space in homes likely to increase house prices, • Don't build on greenfield land; protect Green Belt from housing development 	<ul style="list-style-type: none"> • The plan places the onus on development in excising larger locations (though noting new town policy) but to not development in villages would miss-out on needs to address local needs. • Development near to Exeter has a strategic logic given infrastructure, needs, lack of constraints and market demands in this area. • Development in the countryside is constrained noting lack of services and facilities and car dependence that can result. • The plan supports brownfield development, but there is limited brownfield land in East Devon, and some that does exist is in remote rural locations. • Policies will seek to secure high quality development at appropriate locations.
<p>Affordable Housing Need (AHN) and Affordable Housing Supply</p> <ul style="list-style-type: none"> • Include total affordable housing requirement in Local Plan policy 	<p>Officer commentary in response:</p> <p>Housing supply feedback commentary</p>

- Plan should Meet all Affordable Housing Need. Have mixture of house sizes and tenures
- Need to retain affordable housing in perpetuity to avoid loss to market
- On site delivery of affordable housing is preferable (otherwise need off-site contributions)
- Increase percentage of housing in a development that is affordable - preferably 30% plus
- Vary affordable housing minimum % on sites, by settlement type. Ensure it is adhered
- Impact on viability from setting site affordable housing percentage too high
- What is the connection between AHN and overall Local Housing Need?
- Is the Affordable Housing Need (9,220) in the 2020 ORS report calculated correctly?
- Housing monitoring data needs to separate affordable housing supply achieved from development (256 last year) from other supply (64 last year)
- Supporting Neighbourhood Plans/parishes' housing surveys is more effective in delivering affordable housing than higher Local Plan housing requirement
- Define what is meant by affordable. Want more good quality social rented/Council housing -residents can't afford affordable rent
- Prioritise low cost housing for local people
- Should small sites and self build count as affordable?
- Make better use of existing homes/ council houses
- Impact of second homes/buy to let/holiday homes on house prices/affordability

- Total affordable housing needs will be set out in the plan, but plan policy cannot realistically be set to meet all of these.
- Plan policy will seek to retain new affordable housing in perpetuity. But we are governed by rules that go beyond planning, and such issues go beyond planning and the local plan, in respect of sale/loss of affordable housing.
- We will seek the highest reasonable affordable housing %s, subject to viability testing and other asks of development with financial implications.
- We seek to monitor affordable housing delivery – noting some new affordable housing arrives through the planning system and some through purchases/acquisitions that are non-planning/non-local plan policy related agreements.
- We welcome neighbourhood plan initiatives to deliver affordable housing, but would see these as relevant as coming alongside local plan requirements.
- We are tied in to Government definitions of affordable housing, albeit with some flexibility, and noting that new emerging Government thinking places greater emphasis on social housing.
- We do seek to establish 'local test' for affordable housing occupancy.
- Small sites and self-build do not automatically meet test for affordable, but properties in these categories can be 'affordable' if relevant legals test are addressed.
- We do not see robust evidence to seek to establish planning tests and therefore policy restrictions in respect of second and holiday homes.

<ul style="list-style-type: none"> • Impact of spatial strategy and the balance between small and large sites on ability to deliver sufficient affordable housing 	
<p>Draft Plan consultation</p>	
<p>Key issues raised in consultation:</p> <p>It should be noted that the issues raised below should be seen as a continuation, in practical terms, of matters noted above.</p> <ul style="list-style-type: none"> • Numerous responses from communities, developers, and registered providers. Mix of views. Detailed housing policies flow from this strategic policy. To simplify, where comments relating to matters in the detailed policies are repeated for the strategic policy, they are reported against the relevant detailed policies (40 to 50) <p>General comments</p> <ul style="list-style-type: none"> • Support for: principle for developing good quality homes that meet identified needs; creating sustainable, inclusive, mixed communities; delivery of full range of housing • Well phrased and appropriate, other than settlement hierarchy • Parish Council support this policy through its Neighbourhood Plan policies • Policy should be delivered in every community in the district, and support communities’ demographic diversity • Alternative view - Rather than being part of general housing schemes being required to provide the mix of needs, instead the plan should allocate sites specifically for self-build and custom housebuilding, and sites for gypsies, travellers and 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • Support for provision of homes is noted and welcomed. • The settlement hierarchy is seen as needed and appropriate. • Policy will apply across the whole of East Devon and should be read alongside neighbourhood plan policy. • We do propose to allocate sites for some specific housing forms, but there is lack of national policy to be overly specific, for example allocating for self-build only. • Policy provides a generic strategic overview, it is not a requirement for all sites, but we do not see the need for this to be explicitly stated. • The policy, read in conjunction with others in the plan, provide for flexibility. • We have drawn on more than the LHNA to justify plan policy. • Plan viability work is ongoing and will support the plan at submission. • Whilst new Government housing requirements are not absolutely mandatory, they are close to being so, though its acknowledged that at the time of drafting this response NPPF consultation conclusion outputs have not been published. • Policy provision seeks to provide for where need is seen to exist and also draws on where land is available – not that some ‘availability’ is on poor quality potential development sites. • We have sought to construct policy, noting policy framework set out by Government and need for compliance, that provides for all

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show people, - separate from allocations for unrestricted market housing, or be allowed to come forward as unallocated exception sites beyond settlement boundaries.

- Should clarify policy – it represents a district-wide objective and does not prescribe a mix which is expected to be delivered through individual sites
- Wants flexible approach on mix, to recognise that needs and demand varies within the district and between sites; need to ensure scheme is viable and provides an appropriate mix for location, size, suitability/capacity and market.
- Refer to other evidence not just the LHNA; and include consideration of current demand
- Need whole plan viability study prior to submission, ideally with development industry input
- Policy issues are appropriate, but EDDC needs to provide evidence on their deliverability
- Concerns: Policy is too long. Not easy to digest. Out of date. Government housing targets not mandatory; more housing/people will increase pressure on services; need infrastructure; housing is being driven by demand, not by meeting local needs.
- Government's arbitrary formula puts district under immense, unreasonable pressure
- Housing distribution/spatial strategy including proposed new town, conflicts with policy ☐☐- ie growth is not located where there is a need but where land is available
- The plan should take account of the rural dimension of housing needs. Trend for increasing property values and rental costs in the rural housing market as insufficient open market and affordable housing were delivered over many years. The trend's harmful impacts are significant and varied, eg:

sectors of the community. But there are limitations on what the planning system and the local plan can achieve and seek to achieve.

- We will look to improve coverage of space standards.

<ul style="list-style-type: none"> • People with local connections are often unable to afford to buy or rent properties. They are priced out of their own communities. • Young people are disproportionately affected by issues of affordability and exclusion from the rural property market • Demographic diversity in rural communities is reducing as they become increasingly dominated by older people. Young families are an ever-diminishing proportion of the rural population as they cannot afford to buy or rent in those communities. • Declines in demographic diversity have adverse consequences for rural communities eg viability of local facilities and the ability of rural communities to support social clubs and community events vital to their local sustainability • Important to create a social mix and meet future generation needs. To create healthy communities, homes should be mixed up on sites, not segregated • Need small houses for starter homes and for people to down-size to in their own communities, including need for park homes. Current assets may not provide sufficient value for some households to enable move into e.g. new build smaller units • Devon County Council state the internal space of buildings should be of practical size to allow adaptability and include sufficient space for families to spend time together. 	
<p>Affordable Housing Many community responses with a range of comments, including:</p> <ul style="list-style-type: none"> • Acute need for affordable housing • Affordable rent and housing must really be affordable • People can't afford housing build below market value. • Want affordable housing, not luxury developments 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • The need for affordable housing is noted. • We have to work within the context of Government rules when it comes to affordable housing definitions. That said we are placing a greater emphasis on social housing provision in policy redrafts.

- Want more affordable units of decent size, not just 1 and 2 bed units
- Need to provide affordable housing for older people wanting to downsize
- Maximising delivery of affordable housing is an empty promise. Lacks detail
- Query the definition of "affordable housing". Government definition doesn't address lack of affordable rental accommodation for singletons, the elderly (single/couples), people on limited incomes and young families. Not enough housing built for young people
- Poor provision of social housing across East Devon.
- Right to buy caused a major shortage in social housing, and should not occur
- Sale of council houses, and increasing reliance on private landlords to deliver rented accommodation is a problem as private landlords are now leaving the market
- Real need in East Devon is for affordable/social housing. EDDC should address need for more 'council-style' housing which is affordable and built to zero-emissions standards. Want EDDC to cooperate with housing associations and small builders
- Alternative view - Too much emphasis on affordable/social housing.
- Want higher targets/lower thresholds
- Community support for a minimum affordable housing provision that is clear and robust enough to withstand the pleas of viability from developers
- Concerns about implementation: Developers must meet affordable houses commitments; want allocation of new build housing specifically for locals need to be put in place with

- We would aim to secure a mix of affordable housing sizes and for differing age groups, but evidence does point to greatest net need coming from younger people.
- The local plan can have no bearing on 'right to buy' matters, but it is appreciated why concerns are raised.
- Targets and thresholds are tested through viability assessment. Noting a general view that more affordable housing is desirable (though appreciating that some may take a counter view).
- Where possible legal constraints are put in place for retention of affordability status on developments.
- We do not see sufficient evidence to seek to have policy that restrict occupation of new homes for non-second home use or use of homes for holiday or other rental occupation/use. The Government does not offer support through the NPPF for such policies. Financial matters, for example Council Tax, are outside of the role of the local plan.
- It would not be appropriate for natural environment considerations to feature in policy as they are addressed elsewhere.

legal covenants; local connection test should apply to all sites, not just rural exceptions

- Concerns about principal residence: not just second homes, but also holiday lets displacing permanent tenancies in buy to let market; where is the evidence that the issue is just coastal towns? Property in this area is being bought up on a large scale as second homes and short term lets. Second homes need to pay high council tax- they impact on potential for locals to own their own home.
- Some community comments - want limit to AirBnB rentals and much tighter planning/ tax controls. Concern over impact of unregulated short term lets on local housing market eg loss of long term residential rental units to short term holiday lets/non-residential lets
- All new housing should be for local people, not for second homes nor AirBnB and should not draw in people from other parts of the country
- DCC (Economy) comment that short term lets is only an issue in a small number of coastal areas
- DCC (Public Health) wants the influence of second homes to be adequately addressed in relation to sustainability and affordable housing
- Should be a requirement for housing for essential local workers
- Use Land Registry Covenants to restrict the purchase of new builds so they can only be sold to local residents in problem areas
- Local connection criteria should apply to Sidmouth and smaller settlements, not just to rural exception sites
- Devon Wildlife Trust want policy to include requirement for enhancement of natural environment and building to achieve net-zero carbon.

<ul style="list-style-type: none"> • <p>Registered provider comments</p> <ul style="list-style-type: none"> • Housing Association planning consortium supports using LHNA and up to date local housing evidence – it ensures affordable housing is provided in line with objectively assessed needs • And supports mix of tenures to meet affordable housing need over the plan period, particularly needs of younger people and key workers • Supports keeping on-site affordable housing threshold under review - maximise opportunity for affordable housing delivery. The threshold should continue to be as high as possible • Developer comments • Not clear what “maximising” delivery of affordable housing means, so replace with “optimising”. • Some developers concerned that inclusion of second New Town delivers fewer affordable dwellings than if development is elsewhere. Cranbrook was only deliverable due to the injection of considerable amounts of Government grant • More comments are set out under Policy □□ 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • Support for use of the LNHA is welcomed. • In changes we reference importance of housing for younger people, though have not sought to establish definition of or policy approach around key workers. We lack evidence to determine who in East Devon would, could or should be classified in this category and why. Rather we place the emphasis on providing for a diverse range of housing provision and types. • ‘Maximising’ affordable housing delivery is seen as more definite, reflecting need, rather than referencing ‘optimising’. • It is recognised that development of a second new town may result in fewer affordable homes than building elsewhere. But there is a wider planning balance that justifies new town development.
<p>Specialist housing provision</p> <ul style="list-style-type: none"> • Wide range of housing options for older people. Including apartments (sheltered living; extra care); lifelong housing; adapted housing; specialist care including dementia care • Is the demand more for independent living in own home, designed to meet the more specific needs of older people • Opportunity for large care village (□□□-□□□□ freehold apartments) with communal facilities available on site, plus ‘satellite’ areas for housing for families caring for older relatives • Support - convalescence / care homes are needed 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • We have sought to strengthen plan policy, those also been more realistic, in respect of specialist provision for older people. In the draft plan it was considered that policy aspirations were in some respects unrealistic. • The plan acknowledges that some older people do not need/want dedicated care accommodation. Policy seeks to ensure new homes are built to accommodate elderly person needs and are adaptable.

<ul style="list-style-type: none"> • Alternative view: Is there really a need for more care homes? • Why encourage retirement homes? Contributing to our unbalanced age demographic. Retirement complexes create ghettos, breakdowns communities/leads to resentment when younger people don't see affordable housing being delivered. Policy could give a green light to developers to deliver more age restricted/ retirement accommodation in Exmouth that is then marketed out of region. • If there is an identified local need for age-restricted accommodation, want a local connection restriction to ensure that the policy facilitates freeing up of family homes locally • Housing for older people should be within easy walking distance of town centres • Should support adapted older persons housing in villages to enable downsizing What evidence is there that older people want to mix with families 	<ul style="list-style-type: none"> • We do not see the evidence to plan for a large-scale care village and have not seen a realistic promotion, specifically with a specific site identified, for such provision. • Evidence we have does show a need for care home provision. Many people going into care homes will have lived in proximity to where they are being provided and can no longer cope with living independently. It is the case that some people will choose to relocate in to sheltered provision from other locations, but we lack evidence to indicate that new provision has a net actual impact in promoting such relocation. Nor evidence of actual net adverse impacts arising where this occurs. • Location matters and adaptability are capture in older person housing related policies.
<p>Adaptable housing</p> <ul style="list-style-type: none"> • Supports good quality designs for homes, with flexible internal layout. Occupiers needs naturally change over time. • DCC comments that internal space of buildings should be of practical size to allow adaptability and include space to enable families to sit together to eat • Self build/custom build housing • Opportunity to build high quality homes at an affordable price, help local people build their own affordable home. Supports including self build on smaller sites • Self build is one of the key initiatives that help local people build their own affordable home • Self-build is not a priority at a time when we have housing shortages. Self-build should not incur any subsidies from council-tax payers. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • We welcome support for policy seeking good quality housing. • We support policy reference to good space standards. • Policy actively encourages self-build housing, though many financial matters associated with self-building fall outside of the control or remit of the local plan. • We keep a register of self-build interest and through its use have sought to ensure a balance in policy for requirements Vs regular housing provision routes. • We would seek high design standards in all new housing, self-build or not, though would highlight that self-built schemes can be of high quality.

<ul style="list-style-type: none"> • This is an unnecessary constraint to developers, especially as there isn't always a demand for self- build/custom build plots. Only require them where there is clear market demand • Allocating for selfbuild can inflate cost of plots • Have any self build plots been approved by EDDC? • Very few windfalls come onto the open market; should not compare windfalls to the Self build register • Concern over impact of self build on local area's characteristics • Some developers do not agree that there is always demand for self build plots and consider the policy unnecessarily constrains developers – policy should be reworded so only required where there is clear market demand. 	
<p>Private rented housing</p> <ul style="list-style-type: none"> • Relied on private landlords to provide capital to deliver rented houses, since sale of social housing with no funds for councils to replace it. But landlords continue to leave the market due to regulatory/tax changes, higher interest rates, threat of longer-term tenancies, and a broken court system • Housing for rent should be carefully monitored, landlords shouldn't be able to buy up lots of these properties just to profit from them • Admirable set of intentions around renting. But is it realistic without more joined up thinking/investment in social housing/a different Government? • Town Council concern: impact of unregulated AirBnB accommodation on the local rental market is not addressed and that support needs to be given. Wants EDDC to get involved in the government's review into short-term lets, to regulate home rentals effectively. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • Through the local plan we have no control on fiscal matters impacting on decisions taken by private landlords or legislation relating to lettings. • We also have no controls over who purchases properties being sold on the open market. • We note that there is a different Government in power than that when the draft plan was consulted on. • Regulation of short term rent matters fall outside of the remit of the local plan.

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<p>Needs assessments</p> <ul style="list-style-type: none"> • EDDC has vastly overestimated the amount of housing needed • How are needs quantified. How can assumptions be challenged? • Where was the public involvement in assessing local needs for housing? • Local market evidence represents suitable/appropriate evidence from which to determine local housing needs 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • Housing numbers set out in the plan are determined through a Government standard method. We do not believe we have any realistic option other than applying them. • Other ways to quantify need, whilst they may be of academic interest and some may suggest more valid, are highly unlikely to be found sound at examination (unless they exceed Government numbers)
<p>Mix of housing types</p> <ul style="list-style-type: none"> • Should maintain a social mix, and meet future generation needs. • Be clear what is meant by 'mixed housing'. It should be mixed up to create healthier communities, not segregated. • Where is the evidence about impacts of meeting mix of housing needs within a site? and eg do elderly people want to live next to families with children? • Want more small houses for starter homes and for people to downsize to in their own communities. Makes their larger houses available for families. • Often preferable to develop town centre brownfield sites, but living in small often overdeveloped town centre properties most without parking, often doesn't suit a growing family and compromises the ability to work from home • Too much old, non-energy efficient housing available. New housing should be well built, sustainable, social housing for people with a local connection. • EDDC should repossess vacant homes. Should not allow developers to let vacant buildings rot away; instead refurbish to meet community' local housing need. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • Through plan policy we do seek to establish a basis for securing a mix of new housing types with differing housing types integrated into developments. • We appreciate that there is consumer choice, as well, so people, notably home buyers, can select dwelling types and locations that suit them (plus many second-hand properties are available to purchase). • Policy does recognise need for smaller homes and many developers, especially volume builders, provide these as part of their normal/standard housing mix on developments. • Relevance of town centre development is noted, but also acknowledged that it is not for everyone. • We will expect high energy efficiency standards in new developments, building regulations require them. • Matters of EDDC repossessing vacant homes go beyond the powers of the local plan. • Property rental matters and challenges landlords may face go beyond the local plan.

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<ul style="list-style-type: none"> • Must refurbish and insulate properly. • Encourage, not penalise, local landlords. They lose rent and incur refurbishment costs after a tenancy ends and have increasing overheads that are not reflected in rentals. Amend policy to focus more on property that is well insulated, cheaper to run, and lower rent • Self builds are a much lower priority than social housing due to more demand for this in the local community. • Concerned that including self/custom-build housing and provision for gypsies, travellers and show people, within larger housing allocations is not viable/deliverable due to differing interests / ownerships. Either allocate sites to meet these □ types of needs separately from those allocations for unrestricted market housing, or allow them as unallocated exception sites outside of settlement boundaries • The Otter Valley Association support requirement for a mix of site sizes and encouragement of small builders. • Devon Wildlife Trust wants the policy to include a reference to the requirement for the enhancement of the natural environment and building to achieve net zero carbon. 	<ul style="list-style-type: none"> • Social housing provisions features more significantly in plan policy requirements than policy for self builds. • In order to secure appropriate plots for self-builds, in appropriate locations, provision on large scale sites is considered desirable and deliverable. At Cranbrook gypsy sites will be delivered – policy requirements on large sites show tangible means for delivery in what can be a challenging housing type to otherwise secure delivery of. Very few call for site submitters were promoting gypsy use. • Policies around the natural environment and its enhancement sit in other parts of the local plan.
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • Matters on this policy did not feature in the consultation. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • No feedback is provided.
<p>Sustainability Appraisal</p>	
<p>Key issues raised in consultation: See Sustainability Appraisal table below</p>	<p>Officer commentary in response: See Sustainability Appraisal table below</p>
<p>Habitat Regulations Assessment</p>	

No significant concerns were noted for the draft policy.	Officer commentary in response: <ul style="list-style-type: none"> No response needed.
Commentary on policy redrafting for the Publication Plan	
Redrafted policy title: Strategic Policy HN 01 – Housing to address needs	
This policy has been subject to minor refinement to clarify application. Included amongst changes is specific text around securing housing for younger people noting their importance in the workforce.	

Strategic Policy 40 – Affordable Housing	
This policy sets the standards and thresholds for securing affordable housing delivery on residential development schemes.	
Key technical evidence sources	
The primary housing needs evidence is set out in the ORS report - East Devon, Exeter, Mid Devon and Teignbridge Local Housing Needs Assessment 2022	
Issues and options consultation	
Affordable Housing Need (AHN) and Affordable Housing Supply – key issues raised were summarised as <ul style="list-style-type: none"> Include total affordable housing requirement in Local Plan policy Plan should Meet all Affordable Housing Need. Have mixture of house sizes and tenures Need to retain affordable housing in perpetuity to avoid loss to market On site delivery of affordable housing is preferable (otherwise need off-site contributions) 	Officer commentary in response: <ul style="list-style-type: none"> The intent is to advise of total affordable housing needs. It would be inappropriate to seek to meet all affordable housing needs through the plan. For new provision the intent would be to retain all affordable housing in perpetuity. In site delivery is heavily favoured under policy. Final %s of affordable housing sought will be established through viability testing, this work will also establish if variable %s by settlement are viable.

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- Increase percentage of housing in a development that is affordable - preferably 30% plus
- Vary affordable housing minimum % on sites, by settlement type. Ensure it is adhered
- Impact on viability from setting site affordable housing percentage too high
- What is the connection between AHN and overall Local Housing Need?
- Is the Affordable Housing Need (9,220) in the 2020 ORS report calculated correctly?
- Housing monitoring data needs to separate affordable housing supply achieved from development (256 last year) from other supply (64 last year)
- Supporting Neighbourhood Plans/parishes' housing surveys is more effective in delivering affordable housing than higher Local Plan housing requirement
- Define what is meant by affordable. Want more good quality social rented/Council housing -residents can't afford affordable rent
- Prioritise low cost housing for local people
- Should small sites and self build count as affordable?
- Make better use of existing homes/ council houses
- Impact of second homes/buy to let/holiday homes on house prices/affordability
- Impact of spatial strategy and the balance between small and large sites on ability to deliver sufficient affordable housing

- Affordable housing will form part of the provision to meet overall needs.
- We will review affordable housing need figures.
- We doo monitor sources of supply of affordable housing, but delivery numbers are of a detail that does not warrant local plan text inclusion.
- We would see neighbourhood plans as complementary top local plan policies in affordable housing delivery. As very few neighbourhood plans have actively planned for housing development we would not see them as leading the way on terms of setting policy and securing delivery.
- Plan policy is placing greater emphasis on social rent rather than other models of provision.
- There are fiscal matters around housing markets that are highlighted, though these fall outside of the remit of planning policy and the local plan.

Draft Plan consultation

- Key issues raised in consultation:

Officer commentary in response:

Many comments received from communities, developers, and registered providers.

- Numerous, mixed, community concerns on the need and provision of affordable housing
- Several responses that there is a housing crisis.
- Current stock of affordable housing is comparatively low. Limited supply of available cheaper market housing in the current housing stock
- Many residents, notably young people can't afford to buy or rent housing in East Devon. Urgent need for truly affordable housing.
- Need for affordable housing is high as house prices in East Devon are already high.
- High prices mean property is an investment. Most new houses are bought for high prices by buyers from SE, portfolio holders and BTL landlords, not Devon people.
- Large developers raise the market price by land-banking
- Private rented housing is in very short supply, and the market is very competitive.
- Buy To Let landlords charge high rents, worsening the housing crisis
- No amount of house building will significantly lower prices. Macro-economic and fiscal policy factors that drive price changes are outside the plan's control
- Study by Action for Homes reported □□□□ dwellings in East Devon are second homes or long-term empty. This is unsustainable.
- Stop building to satisfy a demand for □nd homes. It's driving up house prices making housing unaffordable and

- We welcome concerns around need for affordable housing and recognise many of the considerations highlighted that inhibit delivery and current problems in respect of availability, cost and access to market housing (costing too much).
- We note concerns expressed that many home buyers come from outside of Devon. But survey evidence of new home occupiers we have – ORS work dated 2021 – shows most new homes being occupied by people previously living locally
- It is noted that there are many factors outside of planning and numbers of houses built that may inform property prices.
- Changes made to policy emphasise importance of social rent housing as the main part of the mix sought.
- It is not conserved that production of a separate DPD on the matters raised in policy is needed or would be helpful. Amongst other matters it would be costly and time consuming to produce.
- Viability testing will inform final policy content and implementation.
- Plan policy sets overall policy provision, but there are going to be cases where abnormal considerations warrant application bespoke viability testing.
- At the new town, whilst viability assessment is to be concluded, the assumption is that other costs will be high so monies available for affordable housing will be less, hence percentage figures will be lower. At present the levels are in line with Cranbrook delivery.
- Further viability work may establish appropriateness for local mix, rather than across East Devon mix, percentages.
- We do not now expect to produce an SPD on the subject.
- Viability and deliverability are noted in plan policy – it is not seen as appropriate to provide scope for developers to present evidence of what is viable in the absence of local plan policy.

unavailable for local people. No second homes should be allowed.

- Concern over the impact on affordability and availability of housing to meet local need where housing is being used for short term lets eg holiday/business purposes
- Economic consequences eg recruitment issues if housing costs are unaffordable
- Should remove Right to Buy and cap future sale price of affordable homes, Right to Buy simply transfers social housing back to the market at higher prices for sale or for private rent at higher rental levels.
- It's not just the cost of housing. It's also important that housing is well insulated/c heaper to run for people with lower incomes needing to rent
- The definition of affordable housing is challenged. What price of housing is affordable? Government's definition is not 'affordable'. Many local people can't afford to buy discounted market housing/First Homes
- Redefine affordable housing to mean social housing. Greatest need is in local community
- New housebuilding pushes up cost of housing. Help to buy schemes are unrealistic
- Want more genuinely affordable housing for purchase and rent aligned with local wages across the existing centres of populations
- Should focus on social housing only, for low-income people with local connection. A large proportion must be for rent, owned by not-for-profit organisations
- Want far mor social rented to rectify current housing inequality for people in poorly paid or part time jobs

- Noting that affordable housing requirements can be challenged through viability assessment it is reasonable to not refer to provision being a target level
- Whilst the plan provides policy to 2042 in reality a review will come much earlier so expressing target figures for affordable housing is reasonable.
- At the new town provision will be across the development, but bespoke land equalisation work will probably be needed to ensure fair requirements apply to all undertaking development.
- Affordable housing rates will be looked at in the context of future CIL rates with the later scheduled for review.
- Whilst in policy review there is an emphasis on social housing (this responds to need evidence and the greatest need concerns) there is also flexibility over other forms of provision.
- Up to date evidence, other than the LHNA 2022, can be used under plan policy.
- Viability evidence will sit alongside the plan at Reg 19 consultation. This will provide scope for comment on both, noting engagement with the developer industry has already informed viability assessment thinking and testing.
- We do not see grounds for exempting older person housing from making contributions. But viability evidence will test this matter.
- It is noted that there was some support for affordable home ownership products, and redrafted policy allows for provision. However policy emphasis is for social rent where most need lies. Social housing also aligns with current Government emphasis.
- In redrafting we have removed explicit references to First Homes, noting diminished current Government support and also lack of enthusiasm/support more widely for this product type.

- Policy represents long overdue action for creating balanced and mixed communities
- One Parish Council supports this policy through Neighbourhood Plan policies
- Another Parish Council is concerned that the policy is too detailed, and risks losing the point of defining just the delivery. Advocates a separate DPD on this subject, as the variations are so complicated, the Local Plan becomes just about this subject.
- Concern that policy opens the door for developers to claim that it is not viable to meet Plan requirements after site is allocated and has planning approval.
- Developers’ profit should not be made by not delivering affordable housing
- Community support for a minimum affordable housing provision that is clear and robust enough to withstand the pleas of viability from developers. Perception that affordable housing secured by planning obligations in the past was then reduced/removed on viability grounds. Developers wriggle out of promised provision, and then only provide high-cost housing. Want this stopped. Want firmer control by EDDC over developers, and to hold developers accountable.
- But can’t force developers to sell only to local people or at an affordable price
- Support for new approaches eg EDDC Housing Task Force, as delivery vehicle alternative to achieving affordable housing through major housing developments/ S106 agreements. Better for council to buy land and have social housing built.

- The reason for commuted sums to be equivalent of on-site provision is to ensure equity in provision. The council has been running a calculator to establish contribution sought.
- To simplify the Policy we have removed Clause 2c as in the draft plan.
- As, drafted and redrafted, it is not considered that more details on small clusters and pepper-potting is needed. They are widely used terms and matters of detail can be addressed at application stage.
- Whilst early engagement with RSLs is a good thing, it is seen as being an accepted given and does not need explicit policy referencing.
- In terms of application and implementation of policy we would seek to work with Housing Associations (and other providers) and in policy there is flexibility to adjust affordable housing type delivered (evidence dependent) and this can take into account opportunities that arise – eg in respect of funding sources that might open up.
- It is agreed that sites in the AONBs should meet NPPF tests and support AONB objectives. But there is provision for AONB development in exceptional circumstances for qualifying major developments. Assessment will be provided in respect of major developments.

Note that where comments raised have affectively been addressed in feedback made earlier on in this report we have not sought not to provide further comment – please refer to earlier sections of this report for relevant commentary.

- EDDC should repurpose vacant homes for housing needed by the community
- Deliver affordable homes for local families/workers on brownfield sites not greenfield
- Support on site provision, don't want offsite provision/contributions
- How many of the dwellings will go to young couples/local people? How will the Council stop others from acquiring multiple properties possibly subsidised by local money. How will you stop fraud?
- Devon County Council (DCC) welcome the proposed affordable housing tenure mix, highlighting the importance of providing housing for Essential Local Workers, including Social Care staff. Supports priority for key workers within the local eligibility criteria for First Homes
- DCC welcome the tenure mix but must increase/prioritise affordable housing to reflect need and protect affordable housing for local people.

Community concerns about Table 1 (mix) include:

- Wanting much higher percentage to enable young people to stay in East Devon
- Why reduce the affordable housing percentage compared to the adopted plan
- All new housing to should be affordable
- Why is the percentage in the new town so low, where is the evidence? The plan relies on the new town to deliver much growth but the low percentage of affordable housing will increase the imbalance across East Devon and make delivering much needed affordable housing more difficult. Why should other locations deliver more?

- Want more detailed, location specific mix, not a generic district-wide mix
- Will override the housing mix policies in made Neighbourhood Plans that are specifically tailored to meeting local needs, and informed by local evidence
- Want higher percentage in large developments
- Hasn't Cranbrook already met the need for affordable housing?
- Policy is very prescriptive
- Concern over how long an SPD will take to prepare/adopt

Developer concerns include:

- Some support the policy aims but some elements are overly onerous/ prescriptive, notably the prescribed tenure mix of affordable housing on qualifying sites.
- As well as need, should also take account of viability and deliverability. Unrealistic to negotiate every site on a one-by-one basis where the baseline aspiration or combination of policies is too high. This jeopardises future housing delivery
- Policy is impractical. No opportunity to reconcile differences between policy provisions and evidence of need. Should be informed by local market evidence/ sales information.
- Let developers present evidence of local needs to justify affordable tenure mix
- Size and type of affordable housing is a matter for negotiation on a site-by-site basis

- A particular affordable housing mix should not be enforced to the extent that it causes harm to other planning considerations

Developer concerns about Table 1 (mix) include:

- Only some support for reducing percentage from current 10% down to 5% across much of East Devon- it will unlock growth on small/medium sized sites
- 5% is reasonable if expressed as a target rather than a minimum
- This should be a starting point for considering suitable tenure mix

But there are many developer objections to the mix.

- Advocates a bespoke approach to address local affordable housing need – mix of types /sizes appropriate to the location of a planning application
- Fixing the mix type /tenure of affordable housing over a 5- year period is not a flexible policy approach.
- Unclear whether the mix for affordable homes in the 2nd new town needs to be deliver by each development parcel or across the whole new settlement. To provide distinct neighbourhoods policy should provide flexibility on type and size, to allow land parcels to respond to their unique characteristics and new evidence
- Lack of evidence to justify the level of affordable housing mix
- LHNA is not a viability study. No evidence on overall plan viability yet exists.
- Questions viability of delivering 5% affordable housing and tenures mix in Table 1

- Supports para. H – alternative tenures can be proposed where viability is an issue
- Table 1 should be a starting point – take account of latest available housing needs evidence, site size, capacity and suitability for house type and tenures, and practicality of long-term management by a registered provider, and overall viability
- Some reserve their position pending the viability assessment results.
- Unclear if the viability assessment will cover affordable housing percentage, or if viability is assessed on a case-by-case basis
- Should not apply to sites within the Cranbrook DPD area
- 10% is substantially above the current 5% for main towns. CIL rates applicable across East Devon were recently set based on current Local Plan policy level
- West End sites viable at 5% affordable housing (this is what has been achieved)
- New Town site developer supports target of at least 10% affordable housing – as issues eg delivery and strategic infrastructure are substantially different in a New Town compared to smaller development sites. 10% target needs to be evidenced and subject to viability assessment
- Differential percentages demonstrate viability problems of delivering 10% and new town. Large infrastructure costs mean it will deliver less affordable housing than if sites were allocated elsewhere. It also displaces those in housing need and places a strain on family ties (similar to Cranbrook meeting housing needs from Exmouth)
- Another developer advocates an alternative approach. Embrace the Lichfield evidence approach ie

Enhance/speed up delivery by using higher amounts of affordable housing, (ie 10% affordable housing at new town)

- No objection to the overall Affordable Housing target of 10% (for the majority of the district), but reservations over the tenure mix of affordable housing, as worded this indicates 10% for Social Rent and 10% for First Homes. This offers no option for Affordable Rent or other forms of affordable home ownership. It also offers no room for future initiatives towards affordability as it is very prescribed as worded. There should be flexibility to provide all forms of affordable housing as defined in Annex 1 of the NPPF
- Under-provision of affordable rent
- Suggest that specific reference to the 2011 LHNA is removed. Broader wording should be included along the lines of mix to reflect up-to-date evidenced need and market conditions.
- Some respondents want the tenure split for the 1st new town to apply to the rest of the district as a starting point for considering affordable housing provision on new development sites, subject to viability and up to date housing needs evidence
- Some support reduced percentages compared to the adopted plan
- Objections to policy's mix of affordable housing types. Remove table 1 (and policy on dwelling size mix). Wants policy to provide flexibility ie enable precise mix of affordable housing (size and tenure) to be determined on a site-by-site basis at the planning application stage,

responding to needs at that point in time, and taking account of viability.

- Overall plan viability assessment should be publicly available for comment before the Reg 16 consultation, so that in line with PPG the plan can be informed by engagement with developers, landowners, and infrastructure and affordable housing providers.
- Detailed comments from provider of private sector specialist housing for older persons, wanting amendments. Eg exempt such housing from providing First Homes, Starter homes and Discount Market Sales on site; clarify when review mechanisms are appropriate and how/when viability is reassessed over the development’s lifetime; don’t apply a review mechanism to this type of housing; viability assessment should specifically assess viability of older persons housing; want consistent policies regarding thresholds for C1 use classes.

Table 1 – affordable home ownership

- Some support for at least 10% of affordable housing should be affordable home ownership products
- Queries about whether policy will delivery Government policy of 10% of all dwellings to be delivered as affordable homeownership products. Need evidence on delivery.
- Some question whether proposed tenure mix complies with Government policy on First Homes (10%) and 10% provision of affordable home ownership and local needs identified in LHNA 2021. Assert there is a significant under provision of affordable homeownership
- First homes percentage in Table 1 well exceeds national planning policy.

- High percentage of social rent will have a detrimental effect on site viability; concerns about target realism
- Under-provision of other affordable home ownership products (not First Homes)
- Selling discount open market housing is extremely challenging because of the need for a substantial deposit AND meet eligibility criteria
- Policy is not flexible – as well as national policy on first homes, the plan should allow other forms of affordable housing, informed by up-to-date local evidence.
- Some developers object to the reference that commuted sums (off site contributions) should be broadly equivalent to that required on site. They object because there is no clear reasoning setting out what the relevant calculation might be.
- Some developers object to the lack of definition of ‘small clusters’ in Clause 14d). (Relates to distribution of affordable housing across a site.) Must clarify.
- Possible contradiction between para 14a and para 14c. Question whether it is appropriate for C1/specialist accommodation to contribute towards affordable housing given they are not ‘conventional’ dwellings.
- Agreement with pepper-potting affordable housing across a development sites, and the dwellings to be tenure blind

Registered providers concerns include:

- Plan should acknowledge Housing Associations’ role in providing affordable housing
- Encourage developers to have early active engagement with Housing Associations so the latter have active role in planning/design/meeting their management needs

- Community Land Trusts have a proven track record in delivering affordable housing. Plan should acknowledge working relationship between Housing Associations to encourage commitment in the plan to support CLTs' choice of sites
- Disappointed over the significantly reduced percentage of affordable homes required on new development. Concerned that forecast supply is only 1,000. Should plan to meet the evidenced need for 2,000 as a minimum.

Table 1

- Supports expressing percentage provision in terms of "at least"
- Housing Association planning consortium disappointed with reduction from 20% down to 10% in, given EDDC's intention to maximise the delivery of affordable housing
- Housing Association planning consortium supports the inclusion of affordable housing in the development of the second new town, which should also be as high as viably possible
- The 10% figure for the proposed New Town does not represent sustainable, inclusive development. Need to explore ways to increase this percentage to create balance community with mix of different tenures from early in the development
- Housing Association planning consortium – policy does not broaden housing choice, ie a policy contradiction. It completely cuts out affordable rented tenure, and home ownership products eg shared ownership. These overlooked tenures are widely used by Housing Associations and are successful affordable tenures.

Tenure mix in Table 1 contradicts policy that ‘proposals will be supported where they broaden housing choice’

- Consortium wants flexibility in policy to allow affordable housing needs to be met across the full spectrum of tenures. Consider tenure split on a site-by-site basis, and evidenced to demonstrate local needs
- Housing Association planning consortium –has long held concerns about the introduction of First Homes and implications for delivery of traditional forms of affordable housing
- Concerned about affordable tenure mix. Do not support First Homes as a mandatory affordable tenure. Concern over the affordability of First Homes (deposit and income requirements are higher than for shared ownership). Strongly advise against excluding other affordable home ownership options
- First Homes assists some first-time buyers to enter the property market but will likely not help as many households as shared ownership currently does
- Shared ownership is more accessible, and flexible - allows household to enter home ownership with a small deposit and staircase up to full ownership over time
- Should remove references to securing affordable housing in perpetuity, other than on Exceptions sites. NPPF only refers to affordable housing in perpetuity on Rural Exception Sites. Do not support securing affordable housing in perpetuity more widely as it restricts lenders appetite to fund development; investors are discouraged if there is no prospect of realising the investment and returns

<ul style="list-style-type: none"> • Support for financial contributions for development of <input type="checkbox"/> to <input type="checkbox"/> dwellings in designated rural areas, they boost affordable housing delivery in the district • East Devon AONB Partnership. Even if there is proven need, sites in AONB should meet NPPF, be locate and designed to respect the aims and purposes of the AONB designation and include an appropriate LVIA. 	
Supplementary Regulation 18 consultation Spring 2024	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • No specific matters were raised/consulted on. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • No comments are provided.
Sustainability Appraisal	
<p>See Sustainability Appraisal table below.</p>	
Habitat Regulations Assessment	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • No concerns highlighted. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • No comments
Commentary on policy redrafting for the Publication Plan	
<p>Redrafted policy title: Policy HN 02 – Affordable Housing</p>	
<p>Policy has been redrafted to remove surplus text, concentrating now on key policy issues. Of greatest significance policy has been amended to remove First Home references and place a significance on Social Rent provision (this reflects need, feedback and new Government policy importance attached to this tenure type).</p>	

Strategic Policy 41 – Housing to Meet the Needs of Older People	
This policy is specifically geared around meeting the needs of older people and setting thresholds and levels at which specific older person dedicated housing is required through plan policy.	
Key technical evidence sources	
The primary housing needs evidence is set out in the ORS report - East Devon, Exeter, Mid Devon and Teignbridge Local Housing Needs Assessment 2022	
Issues and options consultation	
<p>Paragraphs 5.8 and 5.9 of the Issues and Options report sets out the reasons for building a range of homes that can accommodate different life stage or health circumstances. We asked what approach we should take to encourage this, or is it not something the local plan should deal with.</p> <p>Greatest support is for requiring housing provision for people at all stages of life (44% of response) whilst 28% supported encouraging but not requiring housing provision for people at all stages of life. Little support for not setting standard for differing types of housing provision. 7% of responses supported option 4 – they focused on the needs of a particular group</p>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> Support for older person provision is noted – though responses were not overwhelming.
Draft Plan Consultation	
<p>Key issues raised in consultation:</p> <p>Many comments received from communities, developers, and specialist housing providers.</p>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> Noted that feedback, correctly, notes that people are living longer. Discussions have taken place with the County Council in respect to policy provision and requirements, These have informed policy

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<ul style="list-style-type: none"> • General recognition by respondents that the proportion of older people is increasing as people live longer lives. Offering older people a better choice of accommodation to suit changing needs helps them live independently for longer, feel more connected to their communities and help reduce costs to social care and health systems. <p>Community comments:</p> <ul style="list-style-type: none"> • Devon County Council (DCC) - need to strengthen this policy to support provision of a more diverse supply of housing for older people, in particular affordable rented accommodation eg extra care housing and adapted housing for people with specialist needs. DCC are currently updating their evidence base on the need for extra care housing within Devon. Request discussion with EDDC on how to make adequate provision for extra care housing in suitable locations in East Devon including securing the land and delivering facilities 	<p>redrafting, though perhaps not to the degree that the County Council may have aspired to see occur. What can be agreed on, however, is seeking to secure provision come forward to address needs.</p>
<p>Contrasting community concerns about planning for housing for older people:</p> <ul style="list-style-type: none"> • A policy on housing for older people is needed. LHNA statistics provides evidence of the scale of need for housing for older people. • However, one community group asserts the population of East Devon is not ageing due to local resident population getting older. Very recently younger families are moving into East Devon, rather than traditionally the overwhelming number of retirees. • One view is that the housing needs of East Devon lean towards retirement, adapted, and affordable smaller dwellings. Older people choose to move to East Devon “to enjoy the later years of our lives in peace and tranquillity, and 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • It is agreed that a policy is needed, especially given the aged population of East Devon. • The data we have shows that older people do move into East Devon (and younger adults out). But also middles aged people move in and grow older here. • It is suggested that there is little that can be done, even if wanted to do so, to impact on older people and middle aged people moving into East Devon in respect of regular open-market homes that are for sale. • It is noted that retirement housing providers may well be attracted, to some degree, to certain types of locations. But there are retirement properties in a wide range of parts of East Devon and

in many cases downsized and would financially struggle to move anywhere else”.

- An alternative view - Be realistic. Those who can afford it want suitable housing for their old age and will pay for it eg Lifetime homes mix accessibility with some space; but not tiny retirement flats with high charges. Inheritance tax discourages moves to smaller properties
- Some want Policy □□ removed because it encourages further influx from other areas, causing further unnecessary over-development.
- Why encourage elderly people to retire here?
- East Devon’s population is amongst the oldest in the country, many in housing not specifically designed for them.
- Natural decrease means housing is not required to meet needs of existing residents
- Policy appears to meet needs of those retiring here from elsewhere.
- Leads to in-migration of elderly people, and an increasingly elderly population and demographic imbalance.
- Puts extra pressure on stretched health service.
- Encourages specialist retirement housing developers to exploit development potential eg of popular seaside towns
- There are already too many retirement complexes in some areas (Exmouth is cited as one example), which are not serving the local community but have adverse impacts eg changing the demographics and character of the area, and low wages
- An elderly population cannot sustain the future of the economy. Must be a balance towards a more diverse age integrated population to attract the best to stay/live here
- Some want housing to meet needs of existing, ageing residents to be a priority but not those that retire here

taking Exmouth as an example with an existing aging population in the town it is of no surprise that specialist providers may be attracted to the town.

- Noted that some call for the removal of the policy. But to do so could prejudice the scope to secure specialist housing for those in need.
- It should be noted that we have policy in the plan that provides for younger people, for example much of the affordable housing that is provided is occupied by younger people.
- Policy in the plan provides for qualified village development. This can provide opportunities for downsizing by older people.
- It is noted that some consider that an older population might introduce economic and social strains it is also noted that others take a counter view.
- It is noted that there is a call for specific contributions for health care from older persons housing developments. This is not seen as reasonable, other than through more general health care contributions from housing development.

- Some want Policy 10 removed because it is age restricted and discriminatory. The plan should focus on housing for younger people. Retirement flats do not provide affordable housing (on site or by contributions)
- If the local plan is seeking to create a market for provision of housing for the over 65s, then it should do likewise for the younger sections of the population

There is some community support for policy for housing for older people:

- One Parish Council supports policy 10 through Neighbourhood Plan policies
- One respondent wants policy amended to include requirement for housing for older people wishing to downsize but stay in their village
- Housing older people generates employment. Supporting small traders eg decorators/gardeners, home adaptations; personal care; and cleaners. Older people support town centre commerce. Some older people provide child-care for their working families
- Some want a good mix of accommodation but needs vary.
- One Parish Council wants provision of truly affordable housing for older people, not just those wanting to downsize to release capital
- Some who downsize from rented family accommodation can find nothing in a central area, near family and bus routes
- Many older people are still very active but require homes that create less work and have less stairs. Lack of bungalows is creating a supply chain bottleneck
- Some want a more robust policy - secure developer contributions towards health costs and insist on local connection.

<ul style="list-style-type: none"> Some want a more permissive policy - let the market determine supply mix and percentage, so development takes place in accordance with demand. Many specialist providers of elderly homes have 000% elderly occupation, ie no 000% allocation of development for youngsters 	
<p>Range of contrasting community views on the type and location of accommodation</p> <ul style="list-style-type: none"> One view is that developers focus on a narrow part of the market – high-price/high-specification (leasehold or freehold) which attracts in-migrants who can afford them. The policy encourages ghettoised accommodation of gated and specialist communities Although another respondent asserts that demand for private sector age restricted housing is not strong – can take time to sell once marketing by developers is withdrawn There is also concern over developers’ interpretation of care class uses/care accommodation. This impacts eg on contributions towards affordable housing One respondent asserts that the policy focus is on institutional settings and not normal dwellings. Should revise policy to take account of the thousands of older people urged to stay in their homes which are unsuitable unless adapted. Some want affordable housing for older people, not large retirement flat complexes Some want housing specifically for the elderly needs to be for those on low incomes (there are plenty of expensive retirement flats) Some want all new social housing to be built to cater for all ages. Others want more small houses for older people to downsize to in their own communities (towns and villages) 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> It noted that differing developers have different product types, but with respect to open market sale properties it is difficult to influence the development types (or at least prices charged) for schemes coming forward. We have sought in policy wording to ensure justified affordable housing contributions are secured. Policy in the plan does not in any way preclude existing property adaptation. But it is beyond planning powers to ‘make’ adaption happen. That said policy in the plan does promote new adaptable housing development. We do in plan policy seek affordable elements in older person housing schemes. The plan does not preclude park home development, but there are design considerations and other limitations on this housing type. Comments are noted about provision of more bungalows. However, they are not a favoured development type of many developers and they do tend to consume larger areas of ground than other forms of houses. Large land take would make costs generally higher. Plan policy does seek to secure provision close to facilities and services. Concerns around all (qualifying) sites accommodating older person housing. However in suggested plan changes the number of sites that would be ‘liable’ for provision is not high.

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<ul style="list-style-type: none"> • Another view is that park homes can satisfy the needs of older people; opportunities to expand existing retirement villages eg Otter Valley Park • There is support for new housing to be designed for whole life/ease of use by older people • Some comments highlight a shortage of bungalows for people who want to still live independently. The plan should be explicit about providing bungalows. Others want to protect existing stock of bungalows/single level living. Concern over conversion of 1-bedroom bungalows to houses. • Allocations should locate housing for older people close to community facilities • Some want new housing for elderly people to be for those on low incomes, built near town centres on brown field sites. However, there is concern in towns eg Budleigh Salterton and Exmouth, development sites are too far for the town centre • Sidmouth Cycling Campaign want sites to be easily accessible by walking, cycling and mobility scooters – as routes incorporating steps can be an obstacle to access • Some say the policy is too prescriptive, inflexible, excessive social engineering. Housing for older people is not appropriate on all developments nor in all locations. So why 'pepper pot' elderly people as a percentage of every new development? • No mention in plan of housing for 'comfortable' retirees to move in to and downsize 	
<p>Range of developer comments:</p> <ul style="list-style-type: none"> • Some developers support the principle of appropriate housing to meet needs of older people, but only where there is evidence of such need 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • It noted that there is some support for policy. Policy does not seek to be over-prescriptive of development types coming forward, though there is evidence of particular need at the more affordable

<ul style="list-style-type: none"> • Housing for older people is not restricted to just traditional care homes and nursing homes. Developers are providing opportunities for a wide range of housing accommodation products designed to meet a range of needs including retirement living apartments; extra care apartments. Greater focus on independent living, as well as flexibility for moving into accommodation with care (to varying levels) and communal facilities on site • But not every site will be appropriate for older persons housing, so the policy needs to be more flexible • Policy needs to be subject to robust viability assessment. Cost and viability implications: • Specialist housing in Use Class C is age restricted general market housing, retirement living or sheltered housing and extra care housing or housing with care • C housing is not excluded from affordability calculation • Significant extra cost with specialist housing – need to provide adequate communal facilities, and for some schemes provide on-site staff accommodation • Concerns about viability. In any viability assessment EDDC should acknowledge that the viability of specialist older persons’ housing is more finely balanced than ‘general needs’ housing. So, housing typologies should be robustly assessed 	<p>end of the market, noting that open market provision and supply reflects developer commercial interests in developing.</p> <ul style="list-style-type: none"> • Policy will be subject to viability testing. • Communal facility needs are noted in policy.
<p>Concern over the percentage in Clause 6:</p> <ul style="list-style-type: none"> • Blanket policy approach of % exceeds the need to meet at least , net additional specialist dwellings (by almost units). Could over deliver one form of accommodation at the expense of others that are needed. Wants a more targeted approach with flexibility embedded. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • Policy threshold requirements are lessened noting concerns over quantified needs and potential delivery,. • Viability assessment work will inform final policy choices noting concerns raised over the scale of non-market traditional housing that might be sought under this and other plan policies. So policy changes may arise in redrafting.

<ul style="list-style-type: none"> Some developers are concerned that the policy requirement local plan allocations of 10 to 15 dwellings to include at least 10% specialist older person dwelling far exceeds the lower end of identified housing needs. In combination with a 10% requirement for affordable housing this would mean less than 10% standard market housing delivery on a site (including self-build/custom build plots). Overall viability of schemes becomes doubtful. Policy is perverse. For a traditional housebuilder to deliver its market products it must deliver 10% of plots to affordable housing, older persons housing and self/custom build, and only 10% for its product. No evidence provided about the viability of the policy Should not apply to sites within the Cranbrook DPD area 	
<p>Concern over other clauses Provider of specialist housing for older persons comments that:</p> <ul style="list-style-type: none"> To be consistent with latest PPG Amend policy ie insert new point c) at end of point a- set plan period requirement “at least 1,000 should be specialist older persons dwellings”, based on LHNA evidence of need. Then planning applications don’t have to provide proof of need for older persons housing. Determine planning applications for specialist housing for older people, based on Market accommodation for older people in the form of age restricted general market housing, retirement living or sheltered housing is in Use Class C1 (dws); and Extra care housing, housing with care, residential care home and nursing home accommodation (including end of life / hospice care and dementia care home accommodation) are in Use Class C2. Local Plan policies on 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> To provide possible over-provision of this type of housing it is seen as valuable to require a needs assessment, but there is clear scope to draw on the ORS work and other work to demonstrate a case. Use class references are noted. Policy provides support for older person provision. In policy redraft this is clearly stated at the start of policy. Affordable rented older person housing is supported through plan policy. Though it can be challenging to secure. Distance threshold in policy redrafting have been addressed. Clauses in policy more generally have been simplified and stripped back in policy redrafting (from the draft plan to new test). There is a challenging in allocating sites specifically/just for older person housing as few are explicitly promoted on this basis. It is noted that a large older person ‘village’ is promoted by a respondent. This however, is not backed up by an actual site

affordable housing and Exception Sites then don't apply to C element.

- Another specialist provider is concerned that urgent action is needed to meet need. Supports sub-clause in widening choice. Sub clause is welcome, but strategic sites are often inappropriate locations. Need for older persons housing is self evident, no need for developers to provide up to date evidence of local need
- Devon County Council welcomes policy but would like greater support for a more diverse supply of housing for older people, in particular affordable rented accommodation eg extra care housing and adapted housing for people with specialist needs, in particular in main settlements of Exmouth, Honiton, Sidmouth and Seaton.
- Inconsistency between criterion re. "site is within m" and criterion re. "all development proposals for to or or more dwellings..." - what if a development is beyond m of facilities? Need to clarify criterion
- Clause Refers to sites easily accessible by walking to town centres. Suggest this should be modified to "sites easily accessible by walking, cycling and mobility scooters" as routes incorporating steps, for instance, can be an obstacle to access.
- Clause a refers to Clause This appears to be in error and should refer to Clause

Alternative view - Some developers oppose the policy:

- Instead of properly planning for specialist accommodation for older people (i.e. allocating) the Local Plan requires specialist accommodation for older people on site allocations above site thresholds. This depends on developers to contribute

promotion, the absence of which is seen as grounds (and there could well be more) for not taking this forward into local plan policy.

towards this need. It is an additional obstacle to conventional residential development.

- Many allocations and windfall sites are not suitable/appropriate for specialist older persons housing. Insufficient for policy to be 'flexible'.
- More appropriate to identify /allocate suitable sites specifically for providing specialist older persons housing. Allocating sites for specialist housing can provide greater certainty and ability to deliver in appropriate accessible locations such as town centres
- Local plan should only identify and allocate suitable and deliverable sites specifically for providing specialist older persons housing that meet those needs and respond effectively to demand. Want EDDC to look at evidence of need and supply across the district and engage with providers to understand operational requirements
- Another alternative view - One respondent proposes a different approach. East Devon has amongst the highest percentage of elderly people in England ranging from early-stage retirement to frail elderly in need of care. The choice of retirement housing is limited and care homes and specialised housing with care are in crisis. The proposal relates to: Horizon care village developments and satellite retirement developments
 - Ambition is for a rolling programme of construction across the country
 - Each development of approximately 100 homes comprising:
 - High density, high specification freehold service apartments for frail, elderly and people with long term health conditions

<ul style="list-style-type: none"> - Extensive on-site communal facilities - Specialist Dementia Unit - Separate development of freehold family homes for families caring for family member with a long-term health condition and children caring for a disabled parent - Satellite developments for early-stage retirement - On-site care and support (day care, respite care, reablement/rehabilitation, end of life care) - caring for multiple health conditions. Actively pull residents from acute settings and reduce long term conversions to long term nursing/residential care - Managed by Community Interest Company in consultation with residents' Commonhold Association - In process of establishing a Care Academy - extend training for care workers to include long term health 	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • No matters raised in consultation. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • No matters raised.
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below.</p>	
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • No concerns highlighted. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • No comment.
<p>Commentary on policy redrafting for the Publication Plan</p>	
<p>Redrafted policy title: Policy HN 03 – Housing to meet the needs of older people</p>	

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Policy has been substantially shorted in redrafting, establishing greater clarity and concentrating on key concerns. Site size thresholds at which provision is sought are to be clarified, but in the draft plan they were deemed to be too high a contribution level.

Strategic Policy 42 – Accessible and Adaptable Housing	
Policy seeks to establish levels of accessible and adaptable housing that is accommodated in new developments.	
Key technical evidence sources	
The primary housing needs evidence is set out in the ORS report - East Devon, Exeter, Mid Devon and Teignbridge Local Housing Needs Assessment 2022	
Issues and options consultation	
See General Issues above.	No specific comment highlighted.
Draft Plan Consultation	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> A range of comments on this policy, from the community but mostly from developer, housing association and specialist housing provider respondents. Mix of views. <p>Community responses:</p> <ul style="list-style-type: none"> Devon County Council welcome this policy due to the importance of providing for groups which may not be catered for under conventional housing (such as older people and younger adults who may have disabilities or mental health issues). 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> Support for policy is welcomed. Importance of building regulations is noted. It is seen as impractical and could be very expensive (thus for example potentially having significant impacts on affordable housing delivery) to require all new homes to meet all specified standards. Affordable housing is a particular housing form where policy requirements are particularly important.

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<ul style="list-style-type: none"> • Growing need for properties to comply with Part M(□) or Part M(□) of Building Regulations • EDDC hasn't taken this approach in the past. How will it be achieved? • Town Council - policy targets will produce a very small number of accessible and adaptable homes, even on large developments. All new homes should be designed as homes for life. • All housing aimed at seniors should be accessible to avoid people having to leave their home if they become disabled • All new housing should meet those with a disability needs. Remove the word affordable as no new home will ever be affordable to those on low incomes. • All affordable and rented homes should be wheelchair accessible • Policy is useless without community facilities/services to meet the needs of these people • Policy should also cover alterations and extensions to buildings, not just new build • Only reflect the need of local communities as of today; do not encourage more in-migration • Not good enough in a Climate Change Crisis • Much of our housing is not suitable for wheelchair access, and cannot be altered 	<ul style="list-style-type: none"> • Policy in the draft plan is for new build dwellings only. It would be challenging and demanding to make this a requirement on extensions. • It is not seen that the policy will encourage in-migration, this will happen regardless of policy and there is no clear way to 'target' policy to/for existing residents only.
<p>Positive developer responses:</p> <ul style="list-style-type: none"> • Some developers support provision of accessible/adaptable housing. • Policy is sound. Welcome Council's recognition that M(□) provision is only required where supported by site suitability/viability • New housing is opportunity to improve provision; depending on implementation and SPD 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • Support for policy is welcomed. • It should be noted that we have dropped policy expectation for an SPD.

<ul style="list-style-type: none"> • Concern over how long an SPD will take to prepare/adopt 	
<p>Some developers have concerns and objections</p> <ul style="list-style-type: none"> • Government proposals for mandating M□(□) requirement (and M□(□) in exceptional circumstances) are subject to further consultation on technical details, to be implement through Building Regulations. M□(□) would continue to apply as now where a local plan policy is in place and where a need has been identified and evidenced. • One respondent asserts that policy breaches Government guidelines by not recommending that □,□□□ households/ at least □□% of the need for adapted housing could be met • Flexibility is needed as certain standards may be difficult to achieve on certain sites and standards may evolve during the plan period • Needs to be consistent with PPG; take account of site-specific factors eg flooding, topography/engineering levels, as they make some sites less suitable for M□(□)/M□(□) dwellings particularly if step free access cannot be achieved/not viable. This doesn't just apply to step-free access. Build flexibility into the policy -allow developers to demonstrate in some cases why this level of M□(□) may not be achievable • Some developers object as policy requires □□□% of all homes to be delivered to these standards. LHNA evidence is □□% of need to be M□(□) and M□(□) Goes beyond Building Regulation requirements, Part M□(□) and M□(□) are not mandatory. No evidence to demonstrate this is necessary/justified. Viability not tested • Concern over the size of properties this policy will necessitate, and on delivering a mix of homes on site, how this affects density requirements and impacts on viability • Policy should be subject to robust viability assessment 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • References to building standards considerations are noted. • It is regarded that 5,119 dwellings to be accessible is over demanding. • The policy as drafted/redrafted does provide flexibility noting the challenges that some sites can present. • The policy may have some impacts on density matters but these are not expected to be great. • The policy as currently redrafted will be subject to viability retesting. • We do have evidence on need but see merit in reviewing this. A transition period by default exists as the local plan progresses to and through Examination and to adoption.

<ul style="list-style-type: none"> • Inability to scrutinise Reg □□ plan viability, will necessitate further consultation as part of iterative process in drafting policies before reg □□ stage: • If EDDC wishes to adopt the higher option standards for accessible, adaptable and wheelchair homes it should only do so by applying the criteria in PPG. Need local assessment evidencing the specific case for East Devon. And need a transition period • Should not apply to sites within the Cranbrook DPD area – where development of the new town proposals are subject to a separate recently adopted DPD. Policy □□ will impact of development already progressing through the development management process • Need to consider future market demand • The proposed requirements need to be justified with evidence. If higher accessibility standards are justified, transitional arrangements are needed to allow developers to adapt to the new requirements, which will have implications in terms of additional floorspace required and associated cost. • A Housing Association planning consortium supports the policy direction, but reminds the Council how the increased delivery of such properties may affect viability and overall affordable housing delivery in East Devon. 	
<p>Comments from specialist housing providers raise concerns:</p> <ul style="list-style-type: none"> • One provider of specialist housing for older persons wants clauses b and c deleted from policy. Policy must be properly assessed within the forthcoming viability assessment, including a proper assessment of viability of older person’s housing. Asserts that: <ul style="list-style-type: none"> - Policy confuses older person’s housing with wheelchair accessible housing. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • References to building standards considerations are noted. • Confusing in policy is not considered to exist, the older person reference is very specific to specialist accommodation for them. • M3 standards do not dictate who occupies a property and their needs, rather it ensures flexibility. • It is noted that policy may have cost implications – this is to be viability tested.

- M4(1) standard housing may institutionalise an older persons scheme reducing independence contrary to the ethos of older persons; notably extra care housing.
- M4 Housing has a cost implication and may reduce the number of apartments that can be provided on an older person's housing scheme further reducing viability
- Difficult for EDDC to justify the policy approach in absence of a viability study.
- A 100% M4(1) requirement for older people's housing would be justified (ORS para 1.11) and more viable rather than 100% requirement (ORS study para 1.11) in that would make sites unviable and result in a poor delivery of older people's housing.
- People with a long-term disability or illness that requires wheelchair adaptable housing will not meet the age threshold for older person's housing. This further justifies disaggregating M4(1) housing from older person's housing
- Another specialist provider asserts that the housing sector is increasingly challenging 100% requirement policy at Examinations and Appeal. Justification for 100% M4(1) requirement for wheelchair adaptations is based on flawed assumptions, and not sound.
- In the provider's development there is no need for apartments to meet M4(1) requirements with less than 10% of occupiers using a wheelchair full time. (eg where specialist housing is for the active elderly)
- Long term wheelchair users will have moved into suitably adapted homes earlier in their lives, and likely to remain there.
- Those in retirement living apartments with short term wheelchair use, can do so in home built to M4(1).

- Whilst need for viability testing exists there is a preferable case for 100% M4 provision on older person housing.
- Concerns around people with a long-term disability or illness that requires wheelchair adaptable housing are noted. Though housing suited for them can come forward outside of this policy through specialist provision.
- It is noted that many occupiers of retirement apartments do not use a wheelchair. Policy requirements, however, provide flexibility both for residents and visitors.
- The caselaw point is noted, but policy does not seek mandate sales matters.

<ul style="list-style-type: none"> Residential care/nursing homes are more appropriate for those needing permanent wheelchair use and greater care People with long term mobility disabilities would be in a different setting; not occupy an independent living retirement development. Cost of M□(□) provision is unjustified Caselaw - no policy requirement or control that LPA can impose over open market private apartments that could mandate that they must be sold to a wheelchair user 	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> No specific concerns noted or highlighted. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> No comments raised.
<p>Sustainability Appraisal</p>	
<p>Key issues raised in consultation: See Sustainability Appraisal table below</p>	<p>Key issues raised in consultation: See Sustainability Appraisal below</p>
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> No concerns noted. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> No matters raised.
<p>Commentary on policy redrafting for the Publication Plan</p>	
<p>Redrafted policy title: Policy HN 03 – Accessible and Adaptable housing</p>	
<p>This policy has been redrafted to seek to simplify use and applications. The standards/requirements in a first redraft of policy have been lowered though they are to be viability tested and sense checked.</p>	

Strategic Policy 43 – Market Housing Mix	
This policy in the draft plan sought, primarily, to specify the mix of property size accommodated on development sites. It should be noted that is the draft plan it is, however, proposed for deletion.	
Key technical evidence sources	
The primary housing needs evidence is set out in the ORS report - East Devon, Exeter, Mid Devon and Teignbridge Local Housing Needs Assessment 2022	
Issues and options consultation	
See General Issues above.	
Draft Plan Consultation	
<p>Key issues raised in consultation:</p> <p>Several comments on this policy, mostly from developers. There are a few comments from communities:</p> <ul style="list-style-type: none"> • Parish Council supports through Neighbourhood Plan policies • Another Parish Council considers the policy has too many caveats, so needs tightening • EDDC hasn't taken this approach in the past. How will it be achieved? • Town Council- supportive, but implementation details will be important. Await SPD • How will the housing need evidence be gathered? 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • Whilst qualified support for policy is noted it is not seen as an especially useful or appropriate policy for inclusion in the plan. Some parts of the draft plan policy replicate themes more appropriately addressed through other plan policies. • More importantly the mix of housing sizes specified is more a reflection of statical outputs from the needs assessment study, based on modelling projections, rather than a reflection of planning outcomes that may be desired to be seen. • The mix specified (somewhat perversely) may be seen to over-emphasise relevance of larger rather than smaller housing delivery – this has a relevance noting that many plan respondents have called for more smaller houses to be built (a respondent makes this point)

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- Policy will need ‘teeth’ otherwise anticipate developers will object and appeal
- Need less 1 bed dwellings and more 2 bed dwellings, eg for younger, local people.
- Not just about number of bedrooms. It’s also need sufficient living space including for home working.
- Should concentrate upon densities and room sizes. Create accommodation in roof spaces
- Absurdly prescriptive. It supposes we can predict bedroom requirements to 10000.
- Inflexible, compared to market delivery. Won’t housebuilders provide for/adapt to market?

Most comments are from developers:

- Some developer/housebuilder respondents support objective of policy to provide mix of house types and property sizes in locations consistent with spatial strategy
- Acknowledge policy includes acceptable circumstances where a proposals departure from the required housing mix is justified. Retain this in future iterations of the plan

However most developer comments are concerned that the policy is too prescriptive:

- Some assert the policy is misguided and unnecessary Let the housing market determine if Market mix is most appropriately left to the developers to determine. Policy should be deleted.
- Should not have a table with suggested mix based on 10000 needs in the Policy for the plan period up to 10000

- It should be noted that space standards for new homes feature in policy elsewhere in the plan.
- It is agreed that policy is overly prescriptive and as such inflexible.
- It is recognised that the housing market will have a good understanding of needs and wants – noting many volume builder scheme will often provide for more smaller homes than policy may expect.
- Market choice and preferences of buyers are also recognised as factors that will determine what developers provide.
- Concerns around desirability, and therefore policy reference, to one bed dwellings are noted.
- It is not regarded as necessary to include a policy reference specifically seeking or requiring bungalow development.
-

- Can't implement policy based on the number of properties for sale. Outside EDDC control
- Households are free to choose what open market housing they want and can afford. Including demand for housing larger than they need
- If there is the need for the size of property then, developers respond to that demand.
- Plan should take a proportionate approach, not try to control every element of a scheme. Putting ever increasing levels of detail and ratcheting up requirements will not aid delivery of housing
- Housing needs change over time and differ across District.
- Decide on a site-by-site basis
- Others want Policy to state that the mix of property sizes for market housing shown in the East Devon Local Housing Need Assessment is a starting point
- Some broad support for policy but needs to avoid being overly prescriptive so development can respond to local character and setting
- Want a flexible approach towards housing mix which recognises that needs and demand vary from area to area and site to site; ensures that the scheme is viable; and provides an appropriate mix for the location and market
- Policy should refer to demand. to reflect that people generally express a demand for a property that is bigger than they specifically need
- New housing doesn't just cater for net household growth. It is a means for people to move around within the market, freeing up properties along the housing ladder, eg enabling households to upsize

- Policy should refer to trend for homeworking many reasons why people want more space for this
- Some object to the percentages in the table in the policy, as they are based on the Local Housing Needs Assessment □□□□ The LHNA is a starting point, - the mix should also have regard to local evidence, site specific consideration and viability
- Conflict between □□□□ LHNA data and local up to date evidence of parish housing need
- Some suggest that specific reference to the □□□□ LHNA is removed. Broader wording needed eg mix to reflect up-to-date date evidenced need and market conditions.
- EDDC should work with local communities to carry out local housing needs assessments
- □ bed market housing is not typically desirable/viable. Combine □ and □ bedroom figures
- Policy should refer to different types, not just sizes LHNA does not consider need for bungalows. These have an important role in meeting needs. Add reference to different types of accommodation, specifically bungalows.
- Concerns that this should not be a blanket policy: across all sites:
- Should only apply to larger sites and/or take account of local character/density.
- EDDC should work with local communities, and carry out local housing need assessments to inform a case-by-case assessment of appropriate housing mix, for housing delivery to meet identified need.
- Want flexible policy, as housing needs change over time and differ across district.

<ul style="list-style-type: none"> • Should decide housing mix on a site-by-site basis at the planning application/ reserved matters state, taking account of up-to-date evidence on need, supply, demand and location. Control mix by planning conditions. • Should not apply to sites within the Cranbrook DPD area. • Example of departures is very detailed. They could be broader. Market conditions should be an example of where a departure from □□□□ LHNA may be appropriate • Amend sub-clause □ to exempt specialist forms of development e.g. specialist older persons or student housing • Paragraph □ should be deleted as unclear what it will require in practice, given the policy already accepts the need for flexibility (in paragraph □). • Clause □ only allows different open market mix in exceptional circumstances. This does not provide sufficient flexibility as required by NPPF • Unclear what is meant by market conditions evidence demonstrating lack of marketability' and what is required. Should delete. 	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • No specific concerns noted. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • No comments.
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below.</p>	
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised in consultation:</p>	<p>Officer commentary in response:</p>

• No specific concerns noted.	• No comments.
Commentary on policy redrafting for the Publication Plan	
Redrafted policy title: Not applicable as policy is proposed for deletion.	
This policy is proposed for deletion in reasoning set out in the policy assessment work above.	

Strategic Policy 44 – Self Build and Custom Housing	
This policy seeks provision of self/custom build plots on qualifying housing development sites.	
Key technical evidence sources	
We have a self-build register that demonstrates levels of demand/interest. We publish a monitoring report annually on the demand for self-build plots as shown on the register, together with the supply of plots suitable for self-build.	
Issues and options consultation	
See General Issues above.	
Draft Plan Consultation	
<p>Key issues raised in consultation:</p> <p>Several comments from community and developer respondents, with a range of views.</p> <p>Community comments are mixed:</p> <ul style="list-style-type: none"> Parish Council supports through Neighbourhood Plan policies 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> Support for policy is noted and welcomed. It is noted, as alluded to in submission, that it is a however a housing type that will be beyond many people’s realistic hopes for securing a home to live in. It is recognised that self-build can make for good designs, avoiding standardised patterns book houses that are often developed.

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<ul style="list-style-type: none"> • Another Parish Council questions the need for the policy during a housing crisis. Would someone working in a low paid job ever consider this option? • Proportion of selfbuild in UK is too low. Big developers' schemes/national designs dominate, resulting in identical looking estates. Lacking in vernacular look. • Doesn't really promote selfbuild. EDDC should take selfbuild seriously. Opportunity for high quality homes at affordable price. Help local people build their own affordable home. • No selfbuild units built in last □ years. Misleading to compare windfall sites to the selfbuild register. Only a small percentage of windfalls come on to the open market. • Supports promoting self-build, especially truly affordable, smaller units • Supports encouraging Neighbourhood Plans allocating suitable sites • Town Council – viability consequences when combined with affordable housing policies? • Selfbuild should be lower priority than social housing • Policy is irrelevant. Not a priority. • Do not permit grandiose designs unless the selfbuilder has the funds • Avoid inappropriate development eg in AONB, CAs, SACs • Self-builds should reduce embodied carbon, use sustainable energy, limit car spaces 	<ul style="list-style-type: none"> • Many windfall developments, of a small scale, especially single dwellings, will be self-builds. • There is a real concerns around the degree to whether self-builds can contribute to affordable housing provision and delivery – at best it is niche sector for provision. • The policy will need viability testing and this may refine wording used. • It should be noted that usual restraint policies, eg development in AONBs, will apply to consideration of proposals. Though it should be noted this policy is applicable to provision on 'regular' housing sites so tests will be met/addressed through overarching application determination anyway.
<p>Most comments are from developers, with a mix of views:</p> <ul style="list-style-type: none"> • Some developers/builders oppose policy for delivering self/custom build as a percentage of larger sites. Potential conflict: between housebuilder and selfbuilder; and in managing communal areas. Advocate small bespoke 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • It is recognised that there can be on site conflicts between housebuilders and self builders. Though these should not be insurmountable.

<p>allocations for selfbuild or just policy support for such housing on exceptions sites in/adjacent to settlements.</p> <ul style="list-style-type: none"> • Policy is onerous, not justified and not achievable. Will delay delivering housing • Policy is not market-facing to provide It would be more effective to have an exception site policy that allows self-build or custom-build on a case-by-case basis. • Question whether self/custom builders want to build on a larger housing scheme. • PPG sets out how LPAs can increase the number of permissions that are suitable for self and custom build housing. Possible alternative policy mechanisms to delivery opportunities for self/custom build eg small /medium size sites specifically for this purpose, or policy allowing them outside but adjacent to settlement boundaries • EDDC does not have appropriate evidence to justify site threshold and percentage of self- build housing 	<ul style="list-style-type: none"> • There are challenges to policy, but such policies have worked elsewhere. • An exceptions site policy to provide for self-building is not seen as desirable as it would invariably place pressure for development in areas where development would not typically allowed. Noting that anyway someone can submit a planning application and argue their case for why it should be allowed, self-build or not. There is no over-riding consideration that establishes why a self-builder should have a ‘policy advantage’ over a non-self-builder in such circumstances. • We will look again before final plan redrafting at the policy threshold – noting it is quite low and there is a consideration around discounting affordable houses form calculations.
<p>Some developers have concerns and some want the policy reworded:</p> <ul style="list-style-type: none"> • Policy should be worded with the ability for appropriate triggers to be negotiated on a site by site basis. • Unclear whether there is a demand from custom and self-builders to live on site within larger developments • Only require self/custom build plots where clear market demand for them on developments. Where there is no demand, the developer should not be penalised for not delivering specialised dwellings on new developments • Concerns about: mixing styles/materials; site safety/security. How will EDDC control this? 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • It is not seen that policy should explicitly allow for non-provision of the self-build housing. Noting that this could be argued through application anyway and policy does allow for non-development after a two year marketing period. • We have seen cases from elsewhere of on-site development occurring. • Careful site layout can address different development style potential problems at the initial site design stages. Though we recognise this will require some work, though and attention. • Careful site operation should overcome health and safety concerns.

<ul style="list-style-type: none"> • Developers’ reluctant to offer selfbuild plots within larger areas potential conflict eg from styles and design/ management of communal areas/plots that are unfinished • Health and safety concerns about enabling access to plots within active construction site • The inclusion of affordable plots will have viability and delivery constraints. Lack of cost assessment and viability evidence to justify policy • Should not encourage selfbuild at the expense of small builders. Instead, develop smaller sites/ encourage local building businesses to prosper/employ local people • Should not apply to sites within the Cranbrook DPD area • Provider of specialist housing for older persons wants new clause – ‘Older person’s housing schemes are exempt from the above requirement’. Such schemes are often on brownfield sites, need to be high density, minimum of 10 to 15 flats and already marginal viability. Threshold is impractical/not suitable. No room for self-build plots. 	<ul style="list-style-type: none"> • The affordable housing requirements of policy are intentionally loosely worded and viability assessment is referenced in policy wording. • It is not considered that self-build developments under policy will be to the detriment of self-builders. Many such builders may actual do the actual building work. • Need to look at exclusion from policy of specialist providers. Point is noted.
<p>More specific comments from developers on Clause 1</p> <ul style="list-style-type: none"> • 50% requirement should only apply to the market housing, not the whole site capacity • What is the evidence to justify the percentage and size thresholds? • Amend Clause 1a to ‘12 to 18 months’ for marketing; remove ‘from being fully serviced and developable’ as it’s unnecessary/causes delay • One respondent wants marketing period of 12 months (maximum of 18). A developer suggests a marketing period of 12 months (not 18 months) as more appropriate. • Clause 1a - 18 months window doesn’t help self-builders. Developer only sells the plot if retained as the builder. No 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • Only applying to market housing point is noted and will be reviewed. • Work will also be need on site size / percentages and justification. • A 2 year marketing period is deemed reasonable. Noting many housing sites will take much longer than this to move from permission to being built out. • It is not considered that ‘early stage’ needs defining as it gives a clear steer as worded and all sites will differ. • The 50% requirement around plots being made available has been removed noting the challenges it raises. Bespoke agreements can now be reached on release on a site-by-site basis.

price advantage, which puts off self-builders. Developer builds rest of site in the □ years then claims self-build plot not sold

- Site could be developed within □□ months which would require developers to pause building on a development. □□ Months is more appropriate
- Clarify Clause □b – Define ‘early stage’. Access/services can be conditioned
- Impractical to provide road access on large, phased strategic sites at an early stage of the development or to make the self-build provision available for sale before □□% of the dwellings on the site have been commenced. Instead, require developer to make available the self and custom housebuilding for sale before □□% of the dwellings had commenced in a phase containing self and custom build housing Amend □b to be accessible for pedestrians as well as vehicles
- Clause □b - policy could be worded with the ability for appropriate triggers to be negotiated on a site by site basis
- Delete Clause □c – no justification for requiring the self/custom build plots to all be made available before □□% of the dwellings have been commenced. Instead control through conditions
- Developer states not possible to make custom and self-build plots for sale before □□% of dwellings on site have been completed as would mean significant health and safety concerns with enabling access to plots on an active construction site
- Clause □c - policy could be worded with the ability for appropriate triggers to be negotiated on a site by site basis
- □e Wording is not accepted - impossible to commit to such wording at an early stage due to factors which may impact on

- In terms of being offered for sale with no legal or physical restrictions – it is appreciated this may not in every case be possible but it is still seen as reasonable to retain policy, even if exceptions arise where the clause cannot be implemented.
- To secure affordable housing it is regarded as reasonable and credible to retain requirements.
- Referencing to design codes has been simplified – merging previous clauses 1g and 1h.
- Clause i. has been removed.
- For specialist forms of accommodation it is recognised that policy may not be applicable, but this can be addressed through negotiations.

<p>development implementation eg fundamental health and safety implications during construction</p> <ul style="list-style-type: none"> • Clause f - affordable plots will have viability and delivery constraints. having a policy that requires affordable plots, adds an extra layer of complexity • Combine clauses g and h and clarify to ensure any potential design code/ passport relates to the self or custom build dwellings and not conventional dwelling • Delete Clause i is unreasonable. No legislative or policy basis to impose a requirement for any obligation for developments to be delivered and completed within a set timeframe. No lawful means to implement – cannot be reasonably enforced or conditioned. 1 years is too short for completion. Policy could lower interest in self/custom build. • In law, it is the responsibility of the Council, not landowners or developers, to ensure that sufficient permissions are given to meet demand • Thresholds are impractical and unsuitable for specialist forms of accommodation such as retirement living apartments for the elderly. They are high density accommodation and there is insufficient room to accommodate self/custom build plots on the site <p>Thresholds are incompatible with other specialist housing eg flatted development</p>	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • No matters raised 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • No comments.
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below.</p>	

Habitat Regulations Assessment	
Key issues raised in consultation: <ul style="list-style-type: none"> No concerns raised. 	Officer commentary in response: <ul style="list-style-type: none"> No concerns raised.
Commentary on policy redrafting for the Publication Plan	
Redrafted policy title: Policy HN 05 – Self build and custom housing	
Policy has been redrafted to make it simpler and to removed matters of detail that did not add critical matters but raised implementation concerns.	

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Strategic Policy 45 – Residential Subdivision of Existing Dwellings and Buildings and Replacement of Existing Dwellings	
Insert summary here	
Key technical evidence sources	
Insert summary commentary here ion key evidence sources that have informed policy and its evolution. Include links to technical documents.	
Issues and options consultation	
See General Issues above.	
Draft Plan Consultation	
Key issues raised in consultation: Only a few respondents commented on this policy: <ul style="list-style-type: none"> The Environment Agency state that this policy represents an opportunity to embed within the plan their local flood risk standing advice for changes of use to residential and 	Officer commentary in response: <ul style="list-style-type: none"> Refence to flooding considerations are noted but this is seen as more a generic policy matter rather than an issue that needs specific attention in this policy wording.

replacement dwellings in areas at risk of flooding. This would help provide certainty and consistent expectations for applicants, simplify decision-making for planning officers, and ensure such proposals result in more resilient buildings.

- Parish Council supports through Neighbourhood Plan policy
- Town Council - Policy is subjective. How to define 'adequate'?
- Some community support for policy. Easy to subdivide older properties to produce more dwellings density and without unduly changing street character. Subdivision is an opportunity to save older historical buildings as part of the area and to retain original fixtures/fittings
- Subdivision must be in keeping with the property and surrounding area; meet standards.
- Supports retaining existing buildings. It reduces the amount of building materials required and reduces waste to be disposed of
- Supports minimising hard surfaces in front gardens
- Supports adequate parking provision
- Every development needs off street parking but without hard surface on front garden
- Wants requirement for covered storage in the development.
- Does not support rebuilding/replacing smaller homes with larger homes
- Concern about subdivision impacts ie out of character, loss of gardens, overbearing, noise
- Policy is too specific/over the top. Is it necessary?
- Embedded carbon policy is too prescriptive/complicated/too wordy. Environmental benefits unclear. New buildings are built to higher standard/deliver more dwellings than replaced.
- Adverse impact on the sustainability of smaller villages. Policy does not support villages to attract future generations.

- The use of the term adequate is seen as reasonable given the broad coverage of policy and the many differing types of proposals that will be considered under it.
- Support for policy noted, esp. references to sub-division of older buildings and the benefits that can be gained, recognising importance of being undertaken sympathetically.
- Benefits of retaining existing buildings is also noted and avoidance of hard surfaces and parking provision (noting plan policy elsewhere for parking).
- Explicit wording on coverage storage requirement seen to be too much detail for policy.
- Policy seeks to qualify scope for replacement of smaller dwellings with bigger ones but it is not deemed reasonable to prevent any enlargement.
- Embedded carbon policy is covered elsewhere in the plan.
- In villages, or elsewhere, policy does not prevent sub-division or replacement, but it does qualify it. This policy does not prevent extensions to properties or improvements.

<p>Does not provide comfort for anyone considering investing money in purchasing a property in smaller villages not in the settlement hierarchy tiers that they will be able to later reasonably develop them further so that growing families are not forced to move to find housing appropriate to their needs</p>	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • No matter noted. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • No comments
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below.</p>	
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • No issues raised. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • No comments.
<p>Commentary on policy redrafting for the Publication Plan</p>	
<p>Redrafted policy title: Policy HN 06 - Residential Subdivision of Existing Dwellings and Buildings and Replacement of Existing Dwellings</p>	
<p>Policy remains as drafted, with removal of reference to Supplementary Planning Document deletion.</p>	

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Strategic Policy 46 – Householder Annexes, Extensions, Alterations and Outbuildings	
Policy provides for extensions and alterations to existing buildings.	
Key technical evidence sources	
No specific evidence sources are noted.	
Issues and options consultation	
No specific matters are noted.	No feedback provided.
Draft Plan Consultation	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • One Parish Council supports through Neighbourhood Plan policies • Another Parish Council considers this policy is not justified. It could restrict farmers’ ability to meet the changing needs of their family. These properties would enjoy PD rights. Policy <input type="checkbox"/> is inconsistent with Policy <input type="checkbox"/> which allows minor works without reassessment of need. • Town Council – what is the justification for limiting GIA increase to <input type="checkbox"/>%? • Concern that alterations tend to make houses bigger, reducing the stock of smaller houses for people to down-size to or use as starter homes • Policy is correct, but the problem is that the policy is not applied. Need stronger monitoring of policies otherwise policy is ineffective • PD rights are more stringent in AONB, particularly loft conversion. Wants para <input type="checkbox"/> amended to exclude loft conversions in AONB where design is acceptable 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • Support for policy is noted. • It is not regarded that policy is inconsistent with agricultural dwellings policy as the latter is specific to a category of applicant whereas this is general policy widely applied. • The 30% increase figure is pragmatically based on allowing some but not substantive increases. In part this figure seeks to resist excessive increases in dwelling sizes. • Specific refence to loft conversions, given it’s a matter of detail, is not seen as needed. • Some matters around detail of development management and impacts of development are noted but are not seen to justify policy changes. • Policy wording advises of annexes being ancillary. • It would only be in very exceptional circumstances where an annex may be promoted for social housing. Should the situation arise then an application could be determined on its own merits. • Policy does not seek to ban improvements, rather it seeks to set an acceptable balance for extensions and expansion.

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- Considers that annexes and extensions and outbuildings must not have a detrimental visual, amenity and privacy impact on neighbouring properties
- Proposals must take account of neighbours' views
- Extensions need to be in keeping with main building; should meet housing standards
- Agrees annexes, extensions, outbuildings should be integral or linked to the main dwelling
- Town Council - must condition annexes so they are ancillary to main dwellings AND not AirBnB accommodation. Concern about enforcement
- One respondent takes a contrary view. Wants annexes to be able to be used for social housing when their need by the family in the main building has ceased. Why have an empty property that could instead meet other people's needs.
- Extensions/alterations are concreting over gardens, and reducing on-site parking
- How to manage increased drainage pressure? Or protect against loss of flora?
- Concern over impacts on neighbours from extensions built too close to site boundary
- Extensions e.g. to create bedroom(s) can turn into AirBnBs. Need to take enforcement
- Adverse impact on the sustainability of smaller villages. Policy does not support villages to attract future generations. Does not provide comfort for anyone considering investing money in purchasing a property in smaller villages not in the settlement hierarchy tiers that they will be able to later reasonably develop them further. so that growing families are not forced to move to find housing appropriate to their needs
- Disagrees with ban on improvements to affordable house or agricultural worker's dwelling.

<ul style="list-style-type: none"> • Why restrict buildings’ potential? Why treat affordable and market housing differently? • Reduce or remove policy. It is too prescriptive/arrogant/overdone. Planning controls on extensions are already sufficient, don’t need more controls • Should focus on existing old/abandoned properties that can be regenerated to provide dwelling(s). Regenerating brownfield sites should be the priority, not new-build. 	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • No specific concerns noted. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • No comments.
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below.</p>	
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • No concerns raised. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • No comments raised.
<p>Commentary on policy redrafting for the Publication Plan</p>	
<p>Redrafted policy title: Policy HN 07 - Householder Annexes, Extensions, Alterations and Outbuildings</p>	
<p>Policy has remain unaltered from that in the draft plan</p>	

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Strategic Policy 47 – Hostels and Houses in Multiple Occupation (HMOs)	
Policy provides for properties in multiple occupation.	
Key technical evidence sources	
No specific evidence has been drawn on for this policy.	
Issues and options consultation	
See General Issues above.	
Draft Plan Consultation	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • Some support for policy • HMOs should not be used to house young families. HMOs only appropriate of young single people, not the norm for older adults (except by choice) • No mention in plan of better use of existing housing by encouraging the conversion of large houses to multiple occupancy • Concern over poor HMO provision in Exeter, apart from student lets • Overly prescriptive. But problems can occur, warranting close scrutiny of applications • Clause 1 - Provide more parking spaces on site to avoid on street parking. • Size of parking spaces/garages needs to be realistic, mindful of modern car sizes 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • Support for policy noted. • Policy does not seek to determine who should live in HMOs, though noted that they are frequently occupied by younger adults. • Policy elsewhere in the plan does allow for conversion of larger buildings. • We would not be in a position to comment about HMOs in Exeter. • Policy seeks to be quite prescriptive to avoid adverse outcomes given that nature of the accommodation type and negative impacts that can arise from poor development. • Car parking references are deemed appropriate, given parking policy elsewhere in the plan and need for flexibility given varying nature and location of proposals that may come forward under policy (though many maybe in town centre locations where public transport services can be good). • Cycling storage is required under policy.

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<ul style="list-style-type: none"> • Objects to Clause □ not requiring cycle storage if site has access to public transport or is within □□m walking distance of town centre. Cycling is an attractive mode at that distance • Clause □ – concern if provision is not made for parking. On-going cuts to bus services mean that cars will be needed even in town centres. Need electric car charging • Clause □ Town council supports the policy but internal standards need higher specification • Clause □ Sensible policy for careful subdivision of large houses which can help meet need • Must maintain HMOs to high standard. And retain character. Use suitable insulation to avoid damp. Need for soundproofing. 	<ul style="list-style-type: none"> • Building standards in developments will be covered by Building Regulations.
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • No specific issues raised. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • No comments.
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below.</p>	
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • No concerns highlighted. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • No comments.
<p>Commentary on policy redrafting for the Publication Plan</p>	
<p>Redrafted policy title: Strategic Policy HN 08 - Hostels and Houses in Multiple Occupation (HMOs)</p>	
<p>Policy amended to remove reference to Supplementary Planning Document production.</p>	

Strategic Policy 48 – Provision for Gypsy and Travellers, and Travelling Showpeople Sites	
<p>This Policy ensures that sufficient pitches or plots are provided to meet the needs of Gypsies, Travellers and Travelling Showpeople during the life of the Plan. Policy identifies sufficient pitches on allocated sites to meet the predicted need in full but also contains a windfall policy which can be applied to applications which come forward on other sites ensuring that additional need can be met and family expansion can be accommodated.</p>	
Key technical evidence sources	
<p>The key piece of evidence is the Gypsy and Traveller Accommodation Assessment (GTAA) as this sets out the requirements for plots and pitches in the District. Gypsy and Traveller Accommodation Assessment (September 2024) This is supported by an assessment of all of the existing pitches in the District. monitoring-report-as-at-mar-2019.pdf (eastdevon.gov.uk)</p>	
Issues and options consultation	
<p>See General Issues above.</p>	
Draft Plan Consultation	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • The Environment Agency are pleased that this policy includes a requirement for these proposals to ‘avoid sites vulnerable to flooding or affected by any other environmental hazards that may affect the residents’ health and welfare’. This is essential because such developments are considered highly vulnerable and should not be permitted in areas at risk of flooding. • Sites must support the needs of the travelling community. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • The policy makes appropriate provision to meet the need identified in the GTAA which is considered robust. • Allocated sites have been assessed (or will be, in the case of the new town) using the same methodology as was used for housing and employment sites to ensure that they are appropriate and sustainably located and will not have an unacceptable impact upon landscape, heritage, ecology, highways or other interests.

<ul style="list-style-type: none"> • Supports need to make adequate provision • No evidence to justify quantum of pitches at proposed new town • Town Council questions EDDC plans for vanlifers. How will plan differentiate legally between travellers, showpeople and vanlifers? • Sites must have access to utilities (water, sewerage & water disposal, drainage) • Sites for small groups only • Sites should not affect residents of the area. • Sites should not tolerate antisocial behaviour • Doubts that the new settlement would be suitable • Proposed LP allocation is next to M□. Contrary to WHO's health requirements – noise/pollution impacts • For countryside sites -wants evidence that needs cannot be met elsewhere in district • Approved provision in Hawkchurch is used for social housing (static caravans and touring pitches). No further need in Hawkchurch. Look elsewhere rather than change use once approved 	<ul style="list-style-type: none"> • Policy makes provision for windfalls and sets out the criteria that will apply. • Vanlifers will not be treated as Gypsies or Travellers unless they meet the planning definition or can demonstrate that they are cultural Gypsies covered by the Equalities Act.
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • This policy was not the subject of this consultation. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • A small number of comments were received in respect of a proposed Gypsy and Traveller allocation at Langaton Lane (although this was not subject of this consultation). These mostly objected to the allocation on the grounds of conflict with other nearby uses (housing, scout hut and rifle range), impact on future residents (from the railway and M5), flooding and increased traffic on a no through road. These points were noted.

Sustainability Appraisal	
See Sustainability Appraisal table below.	
Habitat Regulations Assessment	
Key issues raised in consultation: <ul style="list-style-type: none"> No specific concerns raised. 	Officer commentary in response: <ul style="list-style-type: none"> No comment in feedback.
Commentary on policy redrafting for the Publication Plan	
Redrafted policy title: Policy HN 09 - Provision for Gypsy and Travellers, and Travelling Showpeople Sites	
<p>Policy reflects the findings of the Gypsy and Traveller Accommodation Assessment and sets pitch requirements accordingly. It explains how many pitches/plots are required, their permanent or transit status and the partnership working that the Council will engage in to meet any transit requirement. Three sites are allocated through other policies but are referenced in this strategic policy to demonstrate how the requirements will be met.</p> <p>The Policy ensures the likely needs of all Gypsies and Travellers are met through the Plan period and that, by allocating sufficient pitches for this total need, Gypsies who have a cultural need for a pitch (rather than a bricks and mortar house) but do not meet the planning definition will still be accommodated appropriately. If the undetermined need and those who don't meet the planning definition are not planned for through allocations, experience in East Devon suggests that their needs are unlikely to be met through general housing policies unless they can afford to purchase and layout their own pitches. Experience and consultation with the households suggests that most can't afford to, can't take the risk of purchasing land speculatively or don't understand/trust the process so very few pitches will be delivered as windfalls.</p> <p>That said, this policy also sets out criteria for windfalls/non-allocated sites to be considered against. It is considered that this approach is comprehensive and ensures that the Council meets not only its planning duties but also its responsibility under the Equalities legislation.</p>	

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Strategic Policy 49 – Rural Exception Sites and First Homes Exception Sites	
Policy provides for development of rural exceptions homes. These are primarily homes in countryside locations (beyond development boundaries) designed to secure development of affordable housing to meet local needs.	
Key technical evidence sources	
No specific evidence has been drawn on in respect of this policy.	
Issues and options consultation	
See general Issues above.	
Draft Plan Consultation	
<p>Key issues raised in consultation:</p> <p>Most comments on this policy were from communities and a Housing Association Consortium.</p> <ul style="list-style-type: none"> • One Parish Council advocates a separate Affordable Housing DPD, to include this policy. Exception sites in rural villages are very sensitive. Should be aimed at ‘Social Rents’ and not affordable rents • Some broad support for policy. Part of strategy to deliver affordable housing. • Should encourage every village to bring forward schemes under this policy. It’s the best way at present of producing homes badly needed for natural growth in communities deemed ‘unsustainable’ as shops, pubs and schools shut due to lack of customers/ pupils • CLT comment is that Rural Exception sites offer CLT a more appropriate planning method to secure affordable housing 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • It is not seen as needed, and would be excessive, to do a separate affordable housing DPD. • Policy as redrafted does not specific social rent provision but this is the thrust of affordable housing provision elsewhere in the plan (and accords with NPPF redrafting in summer 2024). • The Council are supporting of exceptions schemes coming forward. • Support for CLT housing is expressed, but it is unclear how settlement boundaries will frustrate delivery via a CLT route. In many respects boundaries are helpful as they provide clarity around where market housing will not be allowed and as such open up scope for exceptions sites to be identified and come forward. • The allowance for market homes on sites is for viability reasons and allow for cross-subsidy from market to affordable housing provision. Without the market housing element the concern is that many schemes would not generate funds to pay for affordable housing delivery.

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sites that will have community support. This contrasts with reintroducing settlement boundary which frustrates CLT in trying to secure land for the building of affordable housing.

- Why not 100% as affordable housing?
- Housing Association Planning Consortium supports the policy proposal for a small element of market housing to provide sufficient cross-subsidy. Affordable housing delivery can be fast-tracked when there is no grant funding available
- Consortium emphasises that NPPF/PPG do not define small. Local Plan’s definition for this policy is too prescriptive, will inhibit the ability to maximise affordable housing opportunities on Rural Exception sites
- Rural exception sites should encompass self-build.
- EDDC will need ‘teeth’ to implement the policies. Need more detail on implementation
- Any guarantee that dwellings approved would not be sold on to the open market for profit, and to outsiders? How would this be implemented?
- Should protect AONB from development. Policy could lead to development in the AONB. Inconsistency between policies. New starter type homes are not allowed AONB by this policy. So should reject sites eg Exmouth 1, Littleham fields of 10 houses in the AONB.
- Policy should not be justified on a District wide basis; housing need should relate to settlement.
- Housing Association Planning Consortium considers that as well as the LHNA, plan should recognise the East Devon Housing Register as another key evidence based to inform Rural Exception Site proposals
- Query raised about relying only on East Devon Local Housing Needs Assessment to justify exception scheme in a small village of under 100 people. This is contrary to PPG-which

- Whilst policy expectation remains for smaller scale development specific size thresholds are removed to provide greater flexibility.
- Self-build can come forward under this policy, specific wording reference is not needed.
- Policy does and should apply in the AONB, noting that specific considerations applicable to AONBs are set out elsewhere in the plan.
- Homes come forward under this policy will need to be supported by evidence of local rather than district wide need.
- The council will need to review evidence of need considerations, including use of waiting lists.
- Whilst gypsy and traveller schemes could come forward under policy there is also specific policy reference for development for this community in the plan.
- Concerns around ‘development creep’ are noted the policy has safeguards in place in respect of what can be built, policy provides for a particular housing need and in reality limited numbers of exceptions sites are granted planning permission.
- Se4cond homes and other properties not fully occupied largely fall outside of the planning regime – notably homes purchased on the resale/second-hand market.

requires proven need in relation to the local community. Need to amend policy

- □ comments about Rural Exception Sites and First Homes Exception Site clause □ ('A small element of market housing...')
- A Town Council considers the percentage of market value housing to be high.
- A Community Led Housing CIC considers clause □ is impractical. Rural communities seek □□□% affordable housing on RESs. Landowners will require the open market plots, which are then unavailable to CLT/HA for cross subsidy. Landowners dispose of land for affordable plots at £□, but it's not enough cross subsidy to deliver affordable housing without grant. Homes England can regard the landowner as benefitting too greatly and refuse to allocate grant. CIC consider that enough landowners are willing to bring sites forward at □□□% affordable housing. Under NPPF the opportunity for market homes on RESs is at the LPA's discretion
- Devon County Council query whether the last paragraph would include Gypsy and Traveller community who are already residing on a particular site. They highlight the adverse issues with this, and that it would be severely limiting for families
- Support for SPD to provide further guidance
- Occasionally this type of development is justified but only rarely, ie 'exceptional'
- Keep Exception sites to an absolute minimum. They cause settlement boundary creep. Keep development within the settlement boundaries and housing plans being proposed. Apply this approach to the development plan before any exception sites are considered.

<ul style="list-style-type: none"> • Policy could be unnecessary if more restrictions were placed on second homes, Airbnbs, buying to rent. Or if more affordable housing were built. • Policy approach is second best. It doesn't apply rigour to strategic planning • Should not allow this type of development if it is on sites rejected under the Local Plan. Instead seek more affordable housing when site allocations are being developed. 	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • No matters raised. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • No comments.
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below.</p>	
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • No concerns highlighted 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • No comments.
<p>Commentary on policy redrafting for the Publication Plan</p>	
<p>Redrafted policy title: Strategic Policy HN 10 - Rural Exception Sites and First Homes Exception Sites</p>	
<p>In redrafting we have sought to much simplify this policy. In particular reference to First Homes has been removed noting that these are no seen as a favourable model of affordable housing delivery.</p>	

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Strategic Policy 50 - Housing for Rural Workers	
This policy provides for new housing development for rural workers where there is an operational need to live in a given location (a location where housing would not otherwise be permitted under plan policy).	
Key technical evidence sources	
No specific evidence is put forward in support of this policy..	
Issues and options consultation	
See General Issues above.	
Draft Plan Consultation	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • Only a few respondents commented on this policy: • Parish Council supports through Neighbourhood Plan policies • National Farmers Union support the specific provision for rural workers to allow the provision of a suitable property (either conversion or new build) on a farm business where a need can be clearly shown. • Must look after the Farming and Agriculture Community. Need to maintain our agricultural industry and support those that work in it notably those with a local connection • Concern that many agricultural workers dwellings have been lost over the last 10 years • Policy is necessary to solve the problems caused by the recent lack of migrant workers • Support for stringent requirements being placed on rural businesses. This compares with very poor enforcement of 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • Support for policy is noted and welcomed. • It is recognised that policy seeks to provide for housing where operationally needed. • It is noted that agriculture workers dwellings have been/are lost – policy wording seeks to resist loss to non-rural worker occupancy. • It is not seen as needed for policy to require the dwelling to be on the actual holding, though this is typically the case and policy does provide for a clear steer on locational matters. • Policy is for a very specific use (not holiday use) and as such is deemed as appropriate as worded. Being prescriptive is appropriate as in being so it will resist ‘policy abuse’. • It is seen as essential that there should be a need set out in policy (though noting that there is provision for temporary accommodation for new enterprises).

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illegal development in the countryside, that's led to retrospective applications and time-related confirmations of planning status.

- Any dwelling should be linked to the rural occupation on site and not located elsewhere within the vicinity. ie farm workers on farms
- Policy should never be used by businesses that are not proper rural businesses
- Town Council - policy might be open to abuse at the cost of the countryside. It could have unforeseen consequences when change of use applications result in rural properties being used as holiday accommodation. Policy 10 is at odds with the diversification policy.
- Policy is more prescriptive than last plan. More appropriate if policy aligned with wider sustainability /policy goals (eg local facilities and employment) than being prescriptive.

Specific comments on clauses:

- Clause 1a. One respondent does not support the word 'existing need' as applied to rural businesses. It's self-defeating, unnecessary and could be interpreted as meaning they already live on site. Meeting the test of 'essential need' to be resident on site is sufficient
- Clause 1d. Unclear if policy means that a greater visual/environmental impact next to an existing building is preferable compared to a lower impact of an alternative location. Wants more concise text eg just minimise the visual and environmental impact.
- Clause 1e. One respondent considers 100sqm is excessively large compared to standard sized accommodation. Another considers that a 'one size fits all' approach to floorspace is not appropriate. A specific floorspace figure could be

- Visual impact considerations in respect of development are seen as reasonably worded.
- The floorspace figure is seen as reasonable given that it gives clarity about the scale of what will be allowed in what is a reasonably sized family property (noting the rural workers may need boot rooms/extra washing accommodation and office space).
- As drafted clause 3 is regarded as providing reasonable clarity and precision.

<p>discriminatory. Floorspace should be commensurate with the functional need</p> <ul style="list-style-type: none"> • Clause 11 – Clarify the phrase ‘need is unproven’ ie say ‘financial’ need is unproven. • Devon County Council suggest a time clause for the review of an occupancy condition should be added to clause 11 in the policy. 	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • No issues raised. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • No comments.
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below.</p>	
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • No concerns raised. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • No comments.
<p>Commentary on policy redrafting for the Publication Plan</p>	
<p>Redrafted policy title: Strategic Policy HN 11 - Housing for Rural Workers</p>	
<p>Policy remains as drafted, minus reference to Supplementary Planning Document production.</p>	

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Policy omissions from Chapter 8	
This section of this report references matters where respondents saw policy omissions from the plan.	
Key technical evidence sources	
No technical assessment is highlighted.	
Issues and options consultation	
See General issues above.	
Draft Plan consultation	
<p>Key issues raised in consultation: There were calls for policy on or related to:</p> <ul style="list-style-type: none"> Concerns that housing should be for local need/people and not holiday or 2nd homes. Call for policy around restricting 2nd holiday homes, and short term lets Include a principal residence policy. Could a covenant be used to protect affordable housing from being purchased from outside the District? Should recognise the results of the Letwin Review on housing buildout. The housing market controlled by the big 2nd builders was broken. Support proposals to require rapid build out once Planning Permission has been granted, rather than slow build out to maintain high prices and profitability Devon County Council state the influence of second homes needs to be adequately addressed in relation to sustainability and affordable housing. The Sid Valley Biodiversity Group – 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> We do not see justifiable evidence seeking policy 2nd homes or holiday homes and at present lack planning powers around short term let issues. East Devon does not have the 2nd/holiday home numbers or concentrations that are found in some areas, specifically where development plan documents may have sought/introduced such policies. We have limited controls over speed of development, though for commercial reasons developers will want to build in a timely manner once started, though they will also be conscious of market demands and sale projections. Flooding matters are seen as matters of detail that are addressed through existing/refined plan policies elsewhere in the plan.

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<ul style="list-style-type: none"> - Welcomes the inclusion of references in the draft Local Plan to permeable areas for gardens at Policy 45 – although there could be more robust recommendation for 'rain gardens' to be provided to ensure the same policy outcomes. - Sustainable Drainage Systems: It is disappointing that there is no insistence in the draft Local Plan to the use of SUDS schemes, in particular for new developments. 	
Supplementary Regulation 18 consultation Spring 2024	
Key issues raised in consultation: <ul style="list-style-type: none"> • No concerns noted. 	Officer commentary in response: <ul style="list-style-type: none"> • No comments.
Sustainability Appraisal	
See Sustainability Appraisal table below.	
Habitat Regulations Assessment	
Key issues raised in consultation: <p>No concerns noted.</p>	Officer commentary in response: <p>No comments.</p>
Commentary on policy redrafting for the Publication Plan	
No additional policies are added to the housing chapter.	

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Sustainability Appraisal	
<p>Policy numbers/titles:</p> <p>39. Strategic Policy – Housing needs for all</p> <p>40. Policy – Affordable Housing</p> <p>41. Policy – Housing to meet the needs of older people</p> <p>42. Accessible and adaptable housing</p>	

- 43. Policy – Market housing mix
- 44. Policy – Self-build and Custom-build housing
- 45. Policy – Residential Sub-division of existing dwellings and buildings and replacement of existing dwellings
- 46. Policy – Householder Annexes, extensions, alterations and out-buildings.
- 47. Policy – Policy – Hostels and Houses in Multiple Occupation (HMOS)
- 48. Strategic Policy – Provision for Gypsy and Travellers, and Travelling Showpeople Sites
- 49. Policy – Rural Exception Sites and First Homes Exception Sites
- 50. Policy – Housing for rural workers

Outcome of sustainability appraisal:

Preferred alternative: Policies 39 – 50

- **Reasons for alternatives being preferred or rejected:**
- The preferred policies (39 – 50) are likely to have major positive effects on meeting housing needs, with minor positive effects on supporting healthy and safe communities and social deprivation.
- 40A. Provide higher levels of affordable housing – this would better meet needs for affordable housing, but the additional cost of doing so is likely to limit the provision of services, facilities, and could have negative impacts upon the design of homes. Therefore, this alternative is rejected.
- 40B. Provide lower levels of affordable housing – whilst this could make the delivery of facilities and services more viable, this would limit the potential to meet affordable housing need and so is rejected.
- 41A. Require a higher proportion of older persons housing on larger sites – this would have benefits for the housing mix, but as older persons housing is generally more costly to construct it may ‘skew’ the remaining housing mix to larger, more profitable housing, and also could limit the provision of services and facilities. Therefore, this alternative is rejected.
- 41B. Restrict older persons housing in locations that are less accessible by public transport and with fewer services and facilities –

Officer commentary in response:

- The positive endorsement of policies is noted.

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whilst this would have positive effects on access to services and facilities, it would limit the ability to meet older persons housing needs in rural areas, so is rejected.

- 43A. Do not have a policy and allow the market to decide the mix of market housing – this approach is rejected as it offers less potential to meet local housing needs, so would have less positive effects on the housing objective.
- 44A. Lower self-build threshold – this could make development unviable and therefore not deliverable as small sites are less able to benefit from economies of scale, and/or mean there are less able to contribute to services, facilities and affordable housing. So this alternative is rejected as viability issues will mean less potential to meeting housing need.
- 44B. Higher percentage of self-build plots – this would reduce the potential to deliver other types of market and affordable housing on the site, so would perform less well on the housing objective. An over-supply of plots could also leave sites unfinished. Therefore, this alternative is rejected.
- 45A. Do not restrict dwelling size increase – this alternative is rejected as it would reduce the number of smaller homes, so there is less potential to meet local need for smaller homes.
- 45B. Do not support conversions/sub-divisions outside of settlement boundaries – this would constrain the amount of housing in the countryside, thereby reducing environmental impact from travel and carbon emissions, but it could lead to vacant and derelict housing if existing dwellings are not able to be altered/extended, and additional housing elsewhere would be required to replace the loss of dwelling stock. Therefore, this alternative is rejected.
- 46A. Do not have a policy on householder annexes, extensions, alterations and out-buildings – this approach would rely on other policies in the Local Plan relating to design to manage these types of development, but this would not address circumstances where the principal of creating additional dwellings, and the need to restrict occupancy, is not acceptable. Therefore, this alternative is likely to

have negative effects on the built environment and meeting housing need, so is rejected.

- 47A. Do not have a policy on hostels and houses in multiple occupation (HMOs) – this approach would rely on other policies in the Local Plan relating to design, however this would not provide sufficient policy detail to address management issues and avoid over-concentration of HMOs in particular locations, leading to negative effects on housing mix, so is rejected.
- 48A. Release land for affordable traveller sites (exception sites) – Government policy allows this where there is a lack of affordable land to meet local traveller needs. At the current time, there is a lack of evidence that this is justified, so this alternative performs less well on meeting East Devon’s needs. Therefore, this alternative is rejected.
- 49A. Higher percentage of affordable housing on Rural/First Homes Exception Sites – in theory this could deliver more affordable housing, better meeting East Devon’s needs, but viability issues may prevent development from coming forward altogether. So overall, a less positive effect on the housing objective, meaning this alternative is rejected.
- 49B. Lower percentage of affordable housing on Rural/First Homes Exception Sites – this would deliver fewer affordable homes, so would perform less well on the housing objective, meaning this alternative is rejected.
- 50A. Rural business succession – this would allow a new dwelling for occupation by the ‘next generation’ on the rural business. Although this will have economic benefits by supporting rural business succession, it is likely to lead to incremental growth in the countryside, and associated negative effects on the environment and carbon emissions associated with travel. Therefore, this alternative is rejected.
- 50B. Low impact residential development – this would be categorised as a type of housing for rural workers. Although the environmental impact from the design is assumed to be limited, the rural locations means that environmental harm remains likely, and it would increase

carbon emissions from travel to facilities and services. Therefore, this alternative is rejected.	
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11 Conclusions

- 11.1 This paper provides an assessment of policy matters that have informed redrafting of chapter 8 of the local plan in respect of housing policy matters. At this stage of plan making, recommendations on a first redraft of plan policy for Strategic Planning Committee for October 2024 meetings, no very significant and substantive policy changes are made.
- 11.2 The redrafted policies do, however, now seek to provide greater clarity over expectations, noting removal of reference to First Homes.
- 11.3 Chapter 8 of the plan (as maybe renumbered if other plan changes occur) will be subject to refinement through the committee process, and any possible subsequent redrafting, and will be considered again at Committee later this year.

Chapter 9 - Supporting jobs and the economy and vibrant town centres

Earlier in the plan we set out the preferred Economic Vision and Economic Strategy and the Strategic Policy on employment land. This addresses the strategic employment priorities of the area and any relevant cross-boundary issues as well as covering the scale and distribution strategy for future employment development in the plan period, and employment site allocations. This chapter includes the Strategic Policy on the town centre hierarchy and retail provision.



A crowded and vibrant Sidmouth town centre.

Strategic policies are supported by a suite of non-strategic policies which provide a clear basis for development management and the determination of employment and other economy related development proposals.

For this Chapter, unless otherwise stated, 'employment use' refers to any use where employment is required for that use to effectively function. This includes the following Use Classes: B2, B8, E, C1, F1, F2, and Sui Generis.

Employment development within settlement boundaries

The local plan promotes larger scale development on the western side of the District but elsewhere most new development will occur within settlement boundaries and as such will be focussed in and at the existing main centres of population. We have included plan policy that specifically addresses development within boundaries and which seeks to be supportive of employment growth.

51. Policy SE01:

Employment development within settlement boundaries

Within defined settlement boundaries, as shown on the Policies Map, development for employment uses, including the intensification of existing employment sites, will be permitted where proposals are compatible with neighbouring developments and land uses and will not give rise to adverse amenity impacts or undermine plan strategy or specific policies directly relevant to the use of the land in question.

On existing employment and business parks, and on land allocated for employment use, uses other than E(g), B2 and B8 (offices, research and development, industrial processes and storage and distribution) will not be permitted unless they can be shown to be subordinate to, directly compatible with and complementary to the overall business use and will enhance job provision and the effective operation and business appeal of the park or site.

Justification for inclusion of policy

The Council Plan's third priority is for a vibrant and resilient economy. The Council promotes and supports job growth in the District. There are employment opportunities in the traditional employment land use categories of business use, general industrial use and storage/distribution use and "Sui Generis" industrial uses. Tourism, retailing, health care, education and leisure facilities are significant employment generators. Although jobs in these sectors are typically lower paid, they are nonetheless important to the functioning of the district's economy and the well-being of local communities. Our preference moving forward is to support the creation of new higher value jobs.

East Devon benefits from significant employment opportunities in the western side of the district, more strongly associated with a wider sub-regional functioning economic market area (FEMA). This includes the Science Park and at Exeter Airport and related sites. But East Devon is also a rural and coastal district. There are around 60 traditional business parks and industrial estates across the district, with most being located within and adjacent to the towns. Some employment growth has taken place away from traditional business parks and industrial estates, and will continue to do so, for example through the diversification of the rural economy, the growth of leisure and tourism and the increase in home/remote working.



Light Industrial Units offer opportunities for growth.

The local plan provides for new employment provision to meet the future needs of the District. In the western side of the District, we will respond to increased demand for higher density, high value jobs, encouraging strategic inward investment and transformational sector development. We will

also aim to meet the strong unmet demand for industrial premises, particularly for industrial and logistics occupiers in the West End of East Devon. Elsewhere in the District, higher value investment opportunities will also be promoted, though it is more likely that new employment will serve local needs with jobs being provided close to existing and proposed homes so that people have the option of not needing to commute long distances to work.

The policy focuses on planning for sufficient employment sites for industry, offices and warehousing across the District, with appropriate flexibility through a range of available land and premises that can accommodate the changing needs for business start-ups, local employer expansions, relocations and inward investment. New supply for the plan period would be achieved from employment development on local plan site allocations, existing commitments not yet delivered and windfall development.

The preferred policy option is to focus employment development within settlement boundaries. The aim is to continue to meet a high proportion of the level of need for employment land (in Use Classes E(g), B2, B8) with sufficient supply flexibility, at locations that support settlement self-containment, consistent with the settlement hierarchy and the network of centres. These are the places with supporting services and facilities. The EDNA and Employment Land Review will provide evidence about the mix of sites needed to support businesses. It is expected that as well as sites suitable for transformation and high value employment, there will continue to be a need for a wide mix of sites in terms of size and quality to suit the needs businesses now and as they change over time. There will still be a need for traditional industrial estates and business parks. There is a separate local plan policy on the retention of these sites and existing business parks and industrial estates over the plan period.

New sites: The ability for new sites to meet need is subject to the Council's evidence to demonstrate that there is a need for specific employment uses and providing this will allow for sustainable growth in suitable locations. The EDNA has identified the scale of need for employment land in East Devon over the plan period. The HELAA and Employment Land Review provides further analysis about availability, suitability and achievability of sites for employment uses. The Council's site selection process has identified potential sites for allocations as employment or mixed use sites.

Policy on employment development at Cranbrook is set out in the adopted Cranbrook DPD.

Office development: This is subject to a sequential test, but is primarily directed to the town centres identified on the policies map.

Warehousing: The plan makes provision for warehousing, informed by the EDNA on employment development need. Warehousing for storage and distribution is a part of the local and regional economy. Efficient distribution infrastructure is essential, supporting the supply chains of modern manufacturing and retailing through 'just in time' systems. This depends on transporting goods and materials, much of it by road in HGVs and can lead to significant traffic movements in a locality. Good access to the strategic road network is critical for distribution nationally and internationally. Warehousing is a relatively low density use of land, in terms of the number of jobs available for local people, and generally not high wages. Warehouses can be substantial buildings on large plots, with considerable visual impact, particularly if concentrated along roadside locations. The plan directs warehousing to the allocations and existing employment sites suitable for warehousing to tier 1 and 2 settlements and the new settlement. The plan takes a restrictive approach towards large windfall proposals, and does not support their development elsewhere in

the District, particularly in the countryside or if it would reduce the land available for high value and transformational employment development.

Previously Developed Land: The plan supports the reuse of previously developed land, and opportunities for regeneration within the settlement boundaries. However, at this time the scale, type and areas for potential regeneration is unlikely to be substantial. The plan therefore does not propose significant areas of 'opportunity zones' for mixed use regeneration, with the flexibility to respond to the challenges of attracting businesses to such areas. Where regeneration opportunities arise, they will need master-planning to help integrate new development with the adjoining area, and provide a quality environment, respecting historic assets.

Changes of use: Some changes between uses can already occur on employment sites, for example if the planning approval includes a range of employment uses, subject to conditions and legal agreements. Furthermore, permitted development rights provide flexibility. For example they allow a unit of up to 500 square metres floorspace in 'General Industrial' use (Use Class B2) to be changed to a 'Storage and Distribution' use (Use Class B8). The Council is also mindful of recent changes to the Use Class Order permitting changes between specific categories of use, allowing sites to be used more flexibly without the need for planning permission. This does not impact on Class B2 and B8, but could lead to loss of business uses, weakening the mix of employment opportunities.

Mixed use within existing employment sites: focuses on Use Classes E(g), B2, B8, but the plan recognises that a small amount of other employment uses may be appropriate. It will need to indicate the types that are acceptable, and justify any limit on their development. The changes to the Use Class order brings additional flexibility but could potentially result in a broadening of employment mix, reducing the availability of land and premises for Use Classes E(g), B2, B8. This emphasises the need to ensure that the plan ensures sufficient supply flexibility to provide a range of sites and choice for businesses as their needs evolve.

On larger development allocations there are opportunities for mixed use, so that employment development to accommodate businesses and new jobs will be required to be provided alongside new housing. The employment will therefore be Use Class E(g) and suitable for locations in or adjoining residential areas. Retaining Class E(g) on the site is potentially undermined by permitted development rights. If there is evidence of the loss of business uses then the Council could consider an Article 4 direction applying to one or more specific sites, to control development by requiring a planning application.

Other locations generating employment: It is recognised that in this rural district, modest employment growth will also take place away from traditional business parks and industrial estates – for example through the diversification of the rural economy, and the growth of leisure and tourism and increase in home working. This plan does not support widespread dispersal of large scale employment generating uses in the countryside.

Employment development in the countryside

Whilst existing settlements, and the western side of East Devon, will remain the focus for future employment development there are cases where businesses located in countryside areas will need to expand. Policy provides for such expansion and for qualified starts-ups of new businesses.

52. Policy SE02:

Employment development in the countryside

Intensification and extension of existing employment businesses in the countryside

Building on land within the existing operational site boundaries of a business for intensification or extension of that business and its works and outputs, will be allowed in the countryside where the business:

- a. Is operating in premises that are at or close to full occupancy, or
- b. The business has a proven need arising from new or expanding operational functions.

To be acceptable under plan policy the:

1. Expansion will need to be proportionate to the existing size and scale of site operations and
2. The proposal will need to prioritise reuse or adaptation of existing buildings to reduce the need for additional built development.

Noting these two considerations, extending existing buildings or provision of new buildings will only be acceptable if evidence demonstrates that re-use or adaptation of current buildings is not viable or practical.

Re-use of existing rural buildings

Proposals for small scale employment development through re-use and adaptation of existing redundant rural buildings not currently used or last used for employment, will be permitted where the buildings are:

1. not in agricultural use or likely to be required for agricultural purposes;
2. readily accessible via a range of modes of transport;
3. of sound and permanent construction,
4. capable of adaptation or re-use without major re-building, alteration, or extension; and
5. where compatible with overall plan strategy and other local plan policy considerations.

Justification for inclusion of policy

Employment needs to be available in the countryside to support rural communities, focused on existing sites, and small-scale development. Plan policy defines the countryside as the areas outside of the settlement boundaries, as defined on the Policies Map. This policy balances protection for the character and qualities of the countryside with promoting appropriate scale employment. There is a separate policy on farm diversification and rural shops. For avoidance of doubt this policy applies to

specific companies or businesses and their operational premises and is not applicable to business parks, industrial estates or similar where the business in question is the operation of that park or site.

It is important for East Devon to develop its employment base and where established sites are successful, an intensification of employment uses or extension of an existing employment site can be considered if this supports additional employment accessible to local communities. This enables development to make use of existing sites and infrastructure.

Where sites are extended there is the need to ensure that development is sensitive to its surroundings, is of an appropriate type and scale and will not result in harm to local amenity. Where there is evidence of particularly high demand for employment development, we expect that any adverse aesthetic impacts stemming from that proposed development will be considered relative to the expected economic, social and environmental benefits stemming from that proposed development. Additional consideration will be given to existing East Devon employers, where the proposed development will safeguard valuable existing jobs.

Hill Barton and Greendale Business Parks are large, free-standing, historic employment areas within the countryside, not attached to or directly supporting the self-containment of any particular settlement. Accessing their locations for employment is primarily by motorised vehicles, with limited opportunity for more sustainable modes of transport. Development leading to intensification of use or site extension is not supported as it could compound and exacerbate the adverse environmental and social impacts. This approach will however need to be kept under review specifically in the context of policy for the new community.

53. Policy SE03: Farm Diversification

Farm diversification will be supported through the introduction of new employment uses onto established farm holdings (those that have operated for at least 10 years) subject to this constituting sustainable development and ensuring the development supports the long term financial sustainability of the farm holding. Criteria on what should be considered in the viability statement will be published and available online via the Council's website.

Proposals for farm diversification will be permitted providing they meet the following criteria:

- The proposal is compatible with, and an ancillary and subordinate component of, an existing and active farm enterprise and contributes to the continuing viability of the farm as a whole, retaining existing or providing new employment opportunities and services for the local community;
- The scale, siting and appearance of buildings and activities associated with the proposed development is appropriate to the rural character of the area and will not adversely impact local amenity;
- Development, in terms of its scale, nature, location and layout, does not detract from or prejudice the existing agricultural undertaking or its future operation;
- Any existing suitable buildings are re-used or adapted and, where appropriate, redundant buildings which are derelict or offer no opportunity for beneficial use are removed;

- Any new building (and parking and other structures/storage) is modest in scale, sited in or adjacent to an existing group of buildings, compatible design and blends into the landscape (design, siting and materials), enclosed with an appropriate boundary feature, taking into account the special characteristics of the farmstead and local area;
- No unacceptable adverse impacts arising from vehicle movements and the site should be accessible by a range of transport modes
- Foul drainage facilities are adequate;
- No adverse impacts arising from increased noise, smells, or other form of pollution. It may be necessary, for example, to limit the scale of on-farm anaerobic digesters;
- No adverse impact on the character of surrounding natural or historic environment;
- No adverse impact on protected species and opportunities to improve biodiversity are maximised

Any adverse impacts stemming from employment development will be considered against any positive economic, environmental and social impacts gained from that development.

Justification for inclusion of policy

Agriculture underpins the District's rural economy and supports a considerable number of ancillary businesses. The agricultural industry and the rural economy in general have undergone considerable changes in recent years, remaining a very important sector for the East Devon economy. Agriculture not only provides direct jobs but also underpins many other economic activities in rural areas. Agriculture remains the major user of rural land in East Devon and the use that most influences the physical appearance and character of the countryside.



Agriculture remains central to the character of East Devon.

The Council recognises the importance and changing role of agriculture and the need for new employment in rural areas. Changes in agriculture have made diversification increasingly important for the economic viability of farm holdings.

The NPPF doesn't define agricultural diversification. However, as well as alternative agricultural products, increasingly it involves diversification out of agriculture, into non-agricultural business within the holding. This adds business activities to traditional farming to develop new sources of income.

The main driver for diversification is to support farm income. Diversification offers additional income streams and adds variety to current business models. As well as making better use of a farm's physical resources and characteristics; by branching out successfully, farmers can secure the long-term health and prosperity of their farm and their income. This adds stability to a business in times of uncertainty and can also optimise assets and unlock entrepreneurial skills. Many farmers are having to find new and imaginative ways of diversifying their business in order to survive. More entrepreneurial strategies are helping farms face pressures when confronting a decline in core income or changes in the policy landscape. The change in farming, moving away from subsidies, and towards grants could stimulate the drive to add value to the farms' agricultural and forestry products, and tackling climate change. There is considerable potential synergy between a greener economy and farm diversification.

Policy focuses on development where the scale and type is appropriate to the existing business and the rural character of the area. The priority is for making use of available and suitable buildings on a holding. New buildings, where justified and acceptable, should be well integrated with the existing holding to help them harmonise with the surrounding environment.

The continued viability of farm holdings is important to the rural economy. Diversification proposals should therefore contribute effectively to the farm business and more generally to the rural economy while integrating new activities into the environment and the rural scene. Development proposals need to avoid conflict with and be well integrated into existing farming operations of the farm or estate.

Diversification proposals should be seen within the context of the future business plan for the holding as a whole. Where proposals affect a significant part of the farm holding, information may be requested on its extent, and what is proposed for the remainder of the holding. This may include evidence that, after development, the holding will continue to operate viably.

There is a need to carefully consider the appropriateness of new uses, their impact upon the surrounding area, the implications of public access, and their relationship to continuing agricultural operations. The range of diversification proposals is varied. Initiatives aimed at 'adding value' to food and goods produced on farms through processing and packaging initiatives are encouraged. It can also include tourism accommodation and attractions, events and festivals, distilleries and breweries, farm shops/cafes and specialist outlets, education and training/ experiences. New crops and renewable energy development are other avenues for income streams. Like many other businesses, these new types of diversification have been reshaping their offer to keep the business afloat during the pandemic. We expect other innovative activities and income streams to be conceived and trialled throughout the plan period. These contemporary approaches to diversification are consistent with Government planning policy and other policies towards farming and the countryside.

Exceptionally, residential conversion of a building may be part of a farm diversification project. The Council is mindful of the flexibility already provided through Permitted Development Use Class Q for the conversion of agricultural buildings to residential use.

54. Policy SE04: Resisting the loss of Employment sites

Loss of employment sites, either in whole or in part, to other uses will not usually be permitted. Employment sites are considered to be those currently in employment use, last used for employment and those which are allocated, permitted or conditioned for employment development.

1. Exceptionally, those sites in B2 and B8 uses will only be permitted for other types of employment use, if it can be demonstrated that:
 - a. The alternative use is in accordance with or does not undermine the plan's overall Spatial Strategy; and
 - b. Development relates to ancillary services of an appropriate size which will support an employment area (not within a town centre) by making it more sustainable and viable; or
 - c. Development results in mixed use regeneration within a settlement boundary designed to maintain or increase net job opportunities through alternative employment uses; or
 - d. The site is no longer viable for the current type of employment use but is viable for an alternative type of employment use, evidenced by a compliant viability statement; or
 - e. There is a lack of demand for the current type of employment use at the site, evidenced by a compliant marketing statement showing that the site has been appropriately marketed; and that a suitable supply of available (actively marketed) comparable employment sites/land can be demonstrated within the local area, evidenced by a compliant supply statement.
2. Exceptionally, the use of other employment sites for non-employment uses will be permitted if it can be demonstrated that:
 - a. The alternative use is in accordance with or does not undermine the plan's overall Spatial Strategy; and
 - b. The site is no longer viable for any employment use, evidenced by a compliant viability statement.

Compliant viability, marketing and supply statements must adhere to the respective requirements set out in the relevant guidance published and available online via the Council's website.

If an alternative use is acceptable, then applicants will be required to demonstrate that they have endeavoured to incorporate an appropriate (in terms of scale and type) element of employment floor space as part of the new development.

Justification for inclusion of policy

Land is a finite resource and land suitable for employment is a relatively scarce commodity. Competition for land from higher value uses makes delivering employment

development very challenging, whether new build or for redevelopment. The plan therefore includes this policy aimed at retaining existing or proposed employment sites and land provided that they are available, suitable and achievable over the plan period. The EDNA and supporting analysis of employment sites provides vital information in justifying the identification of existing and proposed employment sites in East Devon.

This policy focuses on protecting employment land in order to maintain sufficient supply of employment land, providing a range and choice of sites over the plan period.

Existing employment sites and proposed employment allocations in East Devon are nearly all in places where housing accommodates or is planned to accommodate much of the labour supply, and where future housing on new local plan allocations will be concentrated. This enables settlements to be more self-contained and better able to support local communities, as well as reducing the need to travel.

The EDNA provides the evidence about the amount of need for employment land. Given the low level of brownfield sites available in East Devon, then the need for additional employment land is mostly on greenfield sites. To avoid the risk of needing to identify even more sites to mitigate loss of employment land to other uses, it is essential that existing Employment Areas within the existing settlements are protected to maintain the quantity and enhance the quality of the employment capacity they provide.

Some ancillary uses complement and support employment uses, so may be appropriate on the existing and planned Employment Areas.

As the economy transforms, not all existing Employment Areas will remain viable or suitable for new types of employment uses. Alternative uses of these sites may then be appropriate if there is no realistic prospect of the site being used for employment. Planning applications would need to provide proportionate evidence about viability for continued employment use and the alternative use being proposed. Alternatively, where a site is viable for employment use, there may be a lack of demand for employment uses. In this case planning applications would need to provide proportionate evidence about robust and effective site marketing for employment uses and an availability of similar sites and land in the local area. If an alternative use is appropriate then opportunities to include an element of employment provision should be considered.

This policy is consistent with the NPPF. The policy is part of the policies package for creating the conditions in which businesses can invest, expand and adapt. The plan places significant weight on the need to support sustainable and inclusive economic growth and to be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices, and to enable a rapid response to changes in economic circumstances.

55. Policy SE05:

Employment and Skills Statements

All major developments will be required to complete the Employment and Skills table available on the Council's website. Any developments over 100 homes or 5000sqm of employment land will also need to provide an Employment and Skills Statement which commits to maximising the provision of skills and employment opportunities, to benefit the local population as well as the employer. These documents should be submitted with the planning application for development and will be implemented through a planning obligation or condition.

Compliant Employment and Skills Statements must adhere to the respective requirements set out in the relevant guidance published and available online via the Council's website.

Justification for inclusion of policy

Development provides opportunities for employment and improving skills within East Devon, not just from the building of the development but from the local supply chains, and the opportunity for apprenticeships and extended skills in the local labour supply.

The workforce in East Devon shows a good level of education with a mix of academic and vocational skills. The proportion of the working age resident population with no qualifications in East Devon is low, compared to national levels. However, the proportion of the working age resident population qualified to NVQ level 4 and above in East Devon in 2018 was 35.8%, lower than the 38.7% in the South West and 39.3% nationally.

The Local Plan supports economic growth and prosperity in East Devon, but it also emphasises the need for growth to be inclusive, so that residents can access higher value employment opportunities. Raising skills in the District is part of a wider approach, aligned with the Levelling Up White Paper, supporting a skilled workforce focussing on

- championing STEM courses (including T levels) to increase take-up
- ensuring all residents have the employability skills they need to progress
- increasing the take up of technical qualifications, and improving retention and recruitment of those with technical and higher-level skills
- increasing employer investment in workforce development
- working with institutions to ensure that the Heart of the South West's learning facilities and teaching capacity are fit for purpose and meeting future need; and
- mainstreaming an inclusive approach so all residents can benefit from future prosperity.

This policy requires larger developments to commit to providing Employment and Skills Statements and should relate to the demolition, site preparation and construction phases of development. They will usually be secured through a suitably worded pre-commencement planning condition and/or a S106 legal agreement. Detailed guidance is available on the Council's website to aid policy implementation.

The Council will work constructively with applicants to agree on the content of the Employment and Skills Statement and a mechanism to monitor whether the companies are honouring their commitment will be implemented. This means assessing whether the commitments are relevant, proportionate and measurable, and requiring the provision of data capturing the actions and results.

The Council will use the employment and skills benchmarks set out in the National Skills Academy's Client Based Approach as a starting point for negotiations with developers. This benchmarking has been formulated for a range of construction types and value bands, and has been agreed by the industry. The national Construction Industry Training Board (CITB) has an evidence base which justifies and demonstrates that the benchmarks requested are proportionate and achievable.

56. Strategic Policy SE06:

Town centre hierarchy, sequential approach and impact assessment

The tier one and two town centres will be the preferred location for the development of main town centre uses as defined in the NPPF. Proposals must be appropriate in terms of their scale and design to the centre in which they are proposed, as well as the function of the centre and accord with other policies in the plan.

The hierarchy of centres in East Devon is defined as follows:

- Tier one Town Centre: **Exmouth**
- Tier two Town Centre: **Axminster, Cranbrook, Honiton, Ottery St Mary, Seaton, Sidmouth**
- Tier three Local Centre: Broadclyst, **Budleigh Salterton, Colyton**, Lymptstone, Woodbury
- Tier four Village Centre: Clyst St Mary, Uplyme, **Beer**, West Hill, Newton Poppleford, Feniton, Whimble, Kilmington, Otterton, East Budleigh, Stoke Canon, Tipton St John, Musbury, Sidbury, Chardstock, Broadhembury, Payhembury, Branscombe, Plymtree, Dunkeswell, Hawkchurch, Exton.

Settlements shown in **bold** text have defined Town Centre Areas to which town centre development policy will apply. It should be noted that Cranbrook town centre is subject to the policies of the Cranbrook Plan.

Applications for main town centre uses that are not proposed in the defined town centres and are not allocated for development through other policies of this Plan will only be permitted where the applicant can demonstrate that:

- a. The proposal accords with (satisfies) the sequential test as set out in the NPPF, and flexibility has been demonstrated on issues such as the format and scale of development.
- b. For retail proposals greater than 500sq.m, and other town centre use proposals greater than 2,500sq.m, an impact assessment has been undertaken, which shows that the proposal will not have a significant adverse impact in line with requirements set out in the NPPF, either alone or cumulatively. Neighbourhood Plans may set different thresholds where local considerations, supported by evidence, indicate this is appropriate.
- c. Retail development will not only be allowed on sites allocated for other uses if equally suitable alternative provision can be accommodated in the immediate locality.

Edge-of-centre²⁰ and out-of-centre sites, which satisfy the sequential test, should be accessible by public transport, bicycle and foot and well-connected to the centre by these modes. In order to ensure that land is retained for the benefit of the local economy, permitted development rights allowing changes to alternative uses will be withdrawn.

Justification for inclusion of policy

East Devon's town and village centres provide more than just retail opportunities, they function as the heart of the community offering a wide range of facilities often including: leisure and entertainment; sport and recreation; offices; cultural spaces and tourism development. The vitality and viability of these centres is fundamental to the support that they provide for local communities in the settlement and in adjoining areas, who rely on those centres. The NPPF is clear that planning policies for town centres should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period.

This is a strategic policy because it establishes the network and hierarchy of centres. Maintaining the vitality and viability of the town centres in East Devon is a strategic priority in the plan. This policy is also the starting point for the suite of non-strategic policies on town centres and primary shopping frontages, local shops and services, and rural shops.

The NPPF requires the LPA to define a network and hierarchy of centres that is resilient to anticipated future economic changes. This policy draws on the evidence in the Council's Role and Functions of Settlements Study produced by the Council in July 2021, which categorised the roles of existing settlements in the District by taking into account their differing sizes, offer, functions and accessibility by sustainable transport modes. The Role and Function of Settlements Study was reported to Strategic Planning Committee of the Council on 5 October 2021, see item 38 - [1a. Role and Function of Settlements report v3 final draft for SPC.pdf \(eastdevon.gov.uk\)](#)

Town centre Hierarchy

East Devon contains a number of centres fulfilling residents and visitors diverse leisure and retail needs as part of a wider hierarchy. Village facilities will cater for basic everyday essentials but East Devon residents will use the main town centres to meet their convenience goods shopping needs and to access a wider range of services. None of the towns act as major comparison goods shopping destinations. In general, comparison goods expenditure flows out of the District, mainly towards Exeter but also to Taunton, Dorchester and further afield, as well as a significant and growing expenditure online.

Within the District the settlement hierarchy and centre type is as follows:

- **Tier one:** Exmouth (town centre with an extensive range of shops and services.)
- **Tier two:** Axminster, Cranbrook, Honiton, Ottery St Mary, Seaton, Sidmouth (town centres with a wide range of shops and services)
- **Tier three:** Broadclyst, Budleigh Salterton, Colyton, Lymstone, Woodbury (local centres with multiple shops and services)
- **Tier four:** Clyst St Mary, Uplyme, Beer, West Hill, Newton Poppleford, Feniton, Whimble, Kilminster, Otterton, East Budleigh, Stoke Canon, Tipton St John, Musbury, Sidbury, Chardstock, Broadhembury, Payhembury, Branscombe, Plymtree, Dunkeswell, Hawkchurch, Exton, Westclyst (village centres with a limited range of individual shops and services, although note that Beer has a more extensive range than other tier 4 settlements)

As well as encouraging new shops and facilities in these locations it is important that existing provision is retained, especially in the tier three and four and more rural settlements where there are

only likely to be one or two of each type of shop or service and total loss would be severely damaging. It should be noted that, in addition to the town centres, the towns may also have neighbourhood shopping parades and individual stores and facilities to serve the local communities on the outskirts. In policy terms, applications affecting these shops and facilities will be treated on the same basis as those in Tier four settlements as they are similarly important in meeting the basic everyday needs of residents. Outside of the settlements listed above, residents have few facilities so are forced to travel elsewhere, resulting in a less sustainable travel pattern. Focussing new development on locations with good access to community services and facilities helps to reduce traffic congestion, reduce carbon dioxide emissions, improve air quality, and improve both physical and mental health.

Sequential Test

The Council must apply a sequential test to planning applications for new retail and retail related development, for example drive-through restaurants. The sequential approach will be applied so that development is located in the centre to which it is most appropriate, with preference being given to those centres higher up the hierarchy, and then identifies preferred locations which must be considered before out-of-centre sites. The first preference is for town centre locations (within the Town Centre Area, as identified on the Policies map), followed by edge-of-centre sites and only then by out-of-centre sites provided that they can be made accessible by a choice of means of transport and will not adversely impact upon nearby centres. It is however, recognised that existing out of town stores will continue to provide a form of retailing which both adds to local shopping choice and is popular with the public. Proposals for the refurbishment and redevelopment with small scale extensions of out of centre stores may be acceptable where there is insufficient net gain in retail floorspace to have an adverse effect on other established centres. Sequential testing is not required for small scale rural development (including office development) at or below 2,500 square metres of gross floorspace.

The NPPF also requires local plans to set a proportionate, locally set floorspace threshold above which planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan should be assessed for their impact. The scope of the Sequential Test and Retail Impact Assessment required to be submitted in support of a planning application should be discussed and agreed between the applicant and the Council at an early stage in the pre-application process. The level of detail included within the assessments must be proportionate to the scale and type of retail floorspace proposed and shall be determined on a case by case basis. The PPG sets out detailed requirements for carrying out such assessments.

In determining the scale at which retail impact assessments are required the Council have taken advice and established a threshold figure of 500 square metres above which assessment will be needed. For other types of development a default threshold of 2,500sq.m. (gross) is identified by the NPPF.

Town Centre Development

With the exception of Cranbrook, where the town centre is embryonic, the District's town centres are compact, have a retail offer that focuses on convenience and service provision, and are characterised by a predominance of independent shops fringed by supermarkets. Regular street

markets in Honiton and Axminster, and occasional farmers or artisan markets in all of the towns, draw in trade and along with street performers and other temporary events in the public realm create vibrancy and are to be encouraged. In addition to the town's identified in tier one and tier two, the smaller settlements of Budleigh Salterton, Beer and Colyton contain a similar range of shops and other uses typically found in the larger towns, albeit at a smaller scale, and so Policy 56 will also be applicable to them.

57. Policy SE07:

Town Centre development

Town Centre Areas and Primary Shopping Areas are defined for the tier one and two towns and the settlements of Budleigh Salterton, Beer and Colyton.

Proposals for development within the town centre areas (and excepting Cranbrook which is subject to the policies of the Cranbrook Plan), as defined on the Policies Map, will be permitted where they improve the quality and/or broaden the range of retail and leisure facilities, enhance the role of the town centres as sustainable shopping and leisure destinations and strengthen their vitality and viability. Proposals must not undermine the shopping character or visual amenity of the town centre, either alone or cumulatively, or adversely affect the amenity of the surrounding area through noise, smell, litter, traffic or disturbance arising from operating hours. Development proposals should make a positive contribution to the townscape of the centre in which it is proposed, incorporate provision for cycle access and cycle parking and enhance the natural environment wherever possible.

The Primary Shopping Areas as defined on the Policies Map will be the focus for retail and appropriate leisure uses. Development proposals for other town centre uses within the Primary Shopping Areas will only be permitted where the majority of the total ground floor units are facilitating retail or leisure uses. Unless it can be demonstrated that there is no longer a retail or leisure demand, other town centre uses will not be permitted on the ground floor within the Primary Shopping Areas. Unless it can be demonstrated that there is no demand for any town centre use residential uses will not be permitted on the ground floor within the Primary Shopping Areas. Evidence of demand should be outlined in a marketing statement. Criteria on what will be considered an adequate marketing statement is available online via the Council's website.

Where the change of use of a shop is permitted within the town centre and the shopfront, entrance or other features are considered to be of architectural or historic merit they should be retained and incorporated into the new development scheme.

Throughout the Town Centre Areas appropriately designed development proposals for residential or community use of upper floors will be encouraged. Such use should be independently accessed, have provision for refuse storage and should not result in adverse impacts on any retail use of the building.

Justification for inclusion of policy

In line with the NPPF, the council supports the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. As part of a positive strategy for the future of each town centre, the Local Plan defines their extent and makes clear the range of uses that are acceptable within them.

Primary shopping areas are the defined areas where retail will be concentrated. The NPPF requires these to be identified on the policies map with the intention that retail use and access to convenience goods continue to draw in trade and maintain the vitality and viability of the High Street. The scale of the town centres covered by this policy is such that for each town centre, the Town Centre area and the Primary Shopping Area are one and the same. This means they share the same boundaries for the purpose of the local plan's town centre and retail policies. The Town Centre Areas are to be shown on the Policies Map.

Historic environment of town centres - The established town centres all contain listed buildings and designated conservation areas, so development proposals will need to be sensitively designed to protect, preserve and where appropriate enhance the character and appearance of any conservation area or listed building affected. Particular care should be given to the design of shopfronts, advertisements and signage. This also helps to create attractive, legible centres that encourage people to regularly use the centres and retain retail and leisure spend within East Devon.

Town centre uses - All of the town centres contain a mix of town centre uses including retail, leisure, community uses and residential housing, and benefit from public transport services (including rail services from Honiton, Axminster, Cranbrook and Exmouth) and bus services to the surrounding areas and to Exeter. The Local Plan provides a positive strategy for the future development of town centres and their health is regularly monitored to ensure that, if evidence suggests that they are in decline, the Council is able to implement further measures, along with relevant stakeholders, to support their vitality and viability.

Although all the established town centres have historically experienced low vacancy rates, they are some way from meeting their full potential as retail and leisure centres and would benefit from the development of an enhanced offer. To address this issue the Council has produced masterplans for Exmouth and Cranbrook, with the aim of regenerating the former and stimulating private sector interest in both.

Given their close proximity to transport networks and local shops and services, town centre and edge of centre sites may be particularly suited to locating specialist housing for different groups including older people.

Flexibility

Due to competition from on-line retailing and increased flexibilities in changes of use introduced via the General Permitted Development Order (GDPO) ([The Town and Country Planning \(General Permitted Development\) \(England\) Order 2015 \(legislation.gov.uk\)](#)), there is a risk that the number of retail units within the town centres will reduce. This policy therefore seeks to retain as many retail units as necessary within the town centres to ensure they remain attractive destinations. The GPDO allows for change of use of retail units to various other uses. The amount of floorspace which can be changed under permitted development is restricted. Applicants are advised to consult the GPDO prior to submitting a planning application to check whether planning permission is required. For the avoidance of doubt, this policy only applies to proposals which would fall outside the permitted development regime.

58. Policy SE08:**Local shops and services****Provision of new shops or services**

Proposals for shopping and service development (including Public Houses and Post Offices) will be supported within tier 1-4 settlements, villages and neighbourhood centres provided it enhances their retail or service role and is accessible by walking and by bicycle and will not result in excessive traffic generation. New shops should sell predominantly convenience goods, be of a scale to serve the local area without, alone or cumulatively, impacting on the vitality or viability of any nearby centre²¹.

As a guide, shops should not exceed 280sqm, mostly sell essential goods, including food and be at least 1km from another similar shop.

Loss of existing local shops or services

The loss of existing local shops and services will be resisted where it would result in the significant or absolute loss of that facility to the community unless through a viability statement it is evidenced that it is no longer viable for the shop or service to be sustained, including under community acquisition/operation or within, or as part of, a different use.

Permission to change the use of a shop will be subject to the retention of the shopfront.

Justification for inclusion of policy

Throughout the District there are small groups of shops and services which are invaluable in meeting the basic, everyday needs of the communities they serve. These vary greatly- from the more comprehensive offer in the tiered town and village centres, to neighbourhood shops outside the urban centres of the towns, and village shops in the rural communities. The extent and diversity of provision makes it impractical to define neighbourhood or local centres on the Policies map (or provide specific measures that could be used to define them) but these are areas where a group of shops and facilities, typically supplying a range of everyday goods and services is located. There is some scope for improving the local centres and for the provision of new shops, post offices and services in those areas which lack retail facilities. The opening hours of shops and services within residential areas may be restricted to ensure that local amenity is safeguarded.

Given the importance of existing shops and services in providing for the essential day to day convenience shopping needs of the local community it is vital that they are retained wherever possible and are able to adapt to changing localised need. They offer important facilities in particular for the elderly and less mobile. Village public houses often provide a focus for community life and shops and post offices enable those without transport to remain living rurally by reducing reliance on the private car, especially as public transport is limited in these areas. The Council will seek to resist the loss of local shops and services where this would result in a significant or absolute loss of facilities to a community.

It is difficult to reinstate shops, in the same or other premises, when they have changed to other uses. It is not however, always possible to prevent their closure when it is uneconomic for their use to continue. Therefore proposals involving the loss of local shops or services will only be permitted where the District Council is satisfied that the existing use is no longer viable and there is no market for the business as a going private or voluntary sector concern. In order to demonstrate this, the

Council will seek information regarding the marketing of the business and its accounts. The Council will seek to retain the shop front in circumstances where permission is granted to enable the premises to be reinstated as a shop should the future opportunity arise.

It is important that the community function and role of shops and services in creating sustainable places is recognised, both by supporting new ones and by resisting the loss of existing ones. This conforms to the guidance in paragraph 88 of the NPPF relating to the rural areas which requires “the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.” This policy takes a cautious approach towards the loss of important shops and services, to ensure that the needs of communities can continue to be met in the future, but allows for change of use when the viability or use of the shop or service to the local community can no longer be demonstrated. Proposals will have to provide evidence that the current use, or an alternative use of similar value to the local community, is not viable through relevant marketing information and viability studies.

59. Policy SE09:

Rural shops

In order to support local rural businesses whilst protecting the viability of town centres and shops available to the local community, retail development in rural areas, outside villages, including extensions or additional facilities, will be permitted only where it directly relates to an existing rural business (such as a farm or plant nursery), subject to:

- a. a minimum of 50% of the produce/products for sale being produced on the premises or holding, and
- b. the majority of the remaining produce/products for sale being sourced and produced from within a 10 mile radius of the business

and provided that:

1. The scale and type of retail shop proposed will not adversely affect easily accessible convenience shopping available to the local community (and a retail impact assessment may be required to ensure that existing town centres and local shops are not adversely affected to an unacceptable degree); and
2. The proposal does not harm the rural character of the surrounding natural or historic environment, or the amenities of the locality; and
3. The local road network and access to the site can safely accommodate the extra traffic generated by the proposal; and
4. The car parking will be proportionate to the scale of the development and the layout and siting will be sympathetic to the surroundings.

Justification for inclusion of policy Rural shops (including farm shops and plant nurseries) are defined as shops in which the majority of goods sold are produced on the premises or associated land. This is suggested as being defined as a minimum 50% to ensure that any shop is reasonably linked to the use of the land instead of forming a general retail outlet. Farm shops can provide a

valuable local facility, an additional source of income for farms and can help sustain the rural economy. However, they should not become an alternative to shops which are better located and more accessible and convenient in town and village centres.

Without restrictions on size and the type of goods to be sold, rural shops, garden centres and nurseries can become large commercial enterprises, supplementing locally made products sold on a small scale with general retail products without a local tie sold on an inappropriately larger scale, potentially drawing trade from local centres. This will be controlled to prevent the sale of general retail goods and additional services such as cafes will only be permitted where they are ancillary to the sale of goods or products produced on the property to which the shop or nursery relates. Rural shops, garden centres and nurseries may develop an urban appearance as they expand and the number and size of buildings increase, hard surfaced display areas are extended and additional car parking is required. Such developments would generally be harmful to the high quality East Devon landscape and would generate additional traffic which may not be safely accommodated on local roads. Any proposals for the provision of new farm shops, garden centres or nurseries or the expansion of existing enterprises must therefore ensure that such development does not adversely affect the valued character, qualities and assets of the surrounding natural or historic environment to an unacceptable degree.

In accordance with the NPPF, the Local Plan promotes retail development in rural areas where products are sourced or manufactured locally as this will allow diversification in agricultural businesses and promote local food production, supporting the rural economy. The criteria set out in the policy restricts the scale of development and origin of goods to be sold to reflect the countryside location and ensure that the vitality and viability of town centres in the District is not undermined in line with the Local Plan strategy. This ensures that town centres are the focus not only for retail but service trades, leisure facilities and other public amenities, serving more than just their immediate locality and their protection is important for those accessing services from the surrounding areas.

**60. Policy SE10:
Sustainable Tourism**

Applications for the provision of high quality, sustainable and accessible appropriately located accommodation, visitor facilities and attractions will be supported and encouraged. In this Policy "visitor accommodation" means serviced tourist accommodation (Class C1 use) and un-serviced tourist accommodation, as well as essential ancillary staff buildings to support the provision of tourism services.

Proposals for new Tourist Attractions/Facilities or Accommodation

The development of new permanent and temporary visitor accommodation and attractions will be permitted in locations where reliance on the private car is minimised and where there is evidence to show customer demand and a commitment to:

- a. Developing facilities of high quality;
- b. Working towards Net Zero; and
- c. Improving accessibility provision (accessible in terms of providing suitable access to those with physical and non-physical impairments/disability) and
- d. Positively contribute to the natural beauty, wildlife and cultural heritage of the District

In order to provide such evidence, applicants will be required to submit a Sustainable Tourism Statement outlining their commitment to the above criteria. Criteria on what should be addressed in the Sustainable Tourism Statement are available online via the Council's website.

Tourism development in the countryside

Any proposal for new tourist attractions, facilities or temporary accommodation in the open countryside should also meet the following criteria in full:

- a) development should positively contribute to the natural beauty, wildlife and cultural heritage of the District;
- b) the scale, siting, intensity and appearance of buildings and activities associated with the proposed development is appropriate to the character of the area and will not adversely impact local amenity to a significant degree;
- c) re-use or adapt any existing suitable buildings and, where appropriate, remove any redundant buildings which are derelict or offer no opportunity for beneficial use. If existing buildings cannot be reused or adapted then this should be fully justified;
- d) not result in significant adverse impacts from vehicle movements or parking and, where it is likely to create significant vehicular movements to and from the site, development should be well located in relation to sustainable tier 1-4 settlements and local public transport provision;
- e) be closely associated with other attractions/established tourism uses, including the public rights of way network;
- f) be located very close to the main dwelling from which it will be serviced/managed (e.g. as part of a farm diversification scheme) to avoid the need for a permanent new managers dwelling or multiple daily car journeys to manage the site;
- g) provide adequate foul drainage facilities;
- h) not result in significant adverse impacts from increased noise, smells, or other form of pollution;
- i) not result in significant adverse impact on the character of surrounding natural or historic environment;
- j) not result in adverse impact on protected species and maximise opportunities to improve biodiversity and capitalise on the natural environment.

Visitor Accommodation

New buildings to provide overnight visitor accommodation in the open countryside will not usually be permitted. Temporary structures such as yurts, glamping pods, towing caravans and tents may be acceptable but should be capable of being completely removed from the site when not required/out of season.

Loss of Existing Visitor Accommodation

The loss of any visitor accommodation to other uses will only be permitted in exceptional circumstances. For example, converting holiday accommodation into low-cost staff accommodation (rented residential accommodation for local workforce), which will address recruitment challenges for the tourism sector.

Where loss is proposed, applicants will need to demonstrate that the site/land is no longer viable for visitor accommodation, cannot be refurbished or redeveloped for visitor accommodation but is viable for an alternative type of employment use, evidenced by a viability statement.

Justification for Policy

Tourism is a key part of East Devon's economy and it is important that visitors continue to be drawn by the unique environment and offered good quality accommodation and services to meet their needs and encourage longer stays. Policy aims to secure a high quality, sustainable tourism experience for the wide range of visitors to East Devon, and ensure that proposals benefit local communities and businesses, whilst conserving, enhancing and promoting the natural beauty, wildlife and cultural heritage of the District.

A significant proportion of visits are day trips from those living in the District or in the villages, towns and city surrounding East Devon. For those holidaying in the District, visitor accommodation takes a number of forms- from seaside hotels and bed and breakfasts, to farmhouse bedrooms and holiday lets, glamping and camping to caravan sites and holiday parks. The tourism sector is largely leisure driven but evidence is presently lacking as to the levels of demand for different types of accommodation.

While the Council supports growth in sustainable tourism, there are associated challenges for the environment and local communities. High numbers of visitors can put pressure on some locations or 'hot-spots', for example, by impacting on tranquillity, increasing traffic and parking congestion, or causing physical erosion. The Council will support proposals for sustainable attractions and recreational activities, which avoid undesirable impacts, and contribute to the conservation and enhancement of the natural environment whilst providing for the needs of users and bringing benefits to the local economy.

Landscape character and built form are central to the attractiveness of East Devon as a destination for visitors and therefore, in the first instance, proposals should retain and utilise existing buildings. If existing buildings are not available, or are causing harm to the special qualities, then proposals for any new buildings should be accompanied by justification and evidence that the proposals are sensitive to the site and its wider context. New buildings for visitor accommodation will not usually be permitted within the designated landscapes. Proposals for temporary, seasonal, accommodation, such as tents, towing caravans and movable glamping pods, may be permitted within the designated landscapes in accordance with policy. Favourable consideration will be given to the removal of existing buildings which produce net gains for landscape.

The Council will resist the loss of permanent visitor accommodation and applicants will be required to demonstrate that it is financially unviable, by providing evidence in accordance with the marketing requirements set out in on our website. The minimum marketing period required is 12 months but a longer marketing period may be required to cover more than one season or where the existing use is located in close proximity to established tourist attractions or the rights of way network.

Redevelopment of visitor accommodation, visitor attraction, recreation facilities or associated development which is currently resulting in harm to the special qualities of the District (for example the visually prominent static caravans within the Coastal Preservation Area) should, in the first instance, be redeveloped for other more suitable tourist or community uses.

The purpose of this policy is to foster the responsible and sustainable delivery of tourism and visitor recreation development in East Devon in line with the Council Plan which aims to increase and support 'green tourism' capitalising on East Devon's natural environment. Proposals for visitor accommodation, attractions, recreational activities, environmental education and interpretation should provide opportunities for visitors to increase their awareness, enjoyment, and understanding of East Devon's natural environment. They should also foster guardianship of the special qualities, for

example, by promoting and incorporating the District’s natural beauty, wildlife, cultural and built heritage. There are many diverse and creative ways in which development proposals could address this, which should be tailored to the context of the proposals.

There is a fine balance to be reached between encouraging provision of accommodation to enable visitors to enjoy the coast and countryside and damaging the rural character due to a proliferation of new buildings, noise and additional car-based traffic. The high number of planning applications for conversions of existing rural holiday accommodation to other uses (particularly housing) due to a lack of demand/viability indicates that some sectors of the industry are at saturation point and that, rather than permitting new permanent buildings in the open countryside, policy should encourage the conversion of existing buildings to holiday accommodation and temporary, seasonal structures such as yurts and glamping pods

In line with Government guidance development proposals for visitor accommodation, attractions and recreation facilities should be located sustainably. Locating such tourism development within existing tier 1-4 settlements give most opportunity for access to sustainable transport and other facilities, helping to minimise use of the private car.

Given the nature of some tourism-related and recreational activities, a more rural location or proximity to a geographically specific feature, such as the coast or a river, may be required. Policy will seek to ensure that these are planned for appropriately and contribute positively to the natural environment, particularly within designated landscapes.

Every opportunity for sustainable travel should be utilised including access to the site and/or subsequent travel, for example bicycle hire provision, as part of visitor accommodation. This is to ensure that the proposals align with the Council’s net-zero targets and do not harm the special qualities of the area.

61. Policy SE11:

Holiday Accommodation Parks in designated landscapes

Within the District’s most sensitive landscape areas, including National Landscapes, Coastal Preservation Areas and Green Wedges, new caravan, chalet or other holiday parks will not be permitted.

Proposals for the extension of, or related and ancillary facilities on, existing sites will be permitted provided they meet the following criteria in full:

1. No additional permanent pitches or accommodation are to be provided, although upgraded accommodation of a similar size and height may be allowed on the footprint of existing permanent accommodation where this will result in an environmental improvement.
2. The proposal relates sensitively in scale and siting to the surroundings and includes extensive landscaping and visual screening to mitigate against adverse impacts.
3. The proposal would not have an adverse impact on local character or the amenities of adjoining residents.
4. The proposal would not use the best and most versatile agricultural land.
5. The proposal will be provided with adequate services and utilities

6. Traffic generated by the proposal can be accommodated safely on the local highway network and safe highway access to the site can be achieved.
7. The proposal will be subject to the provisions of plan policy in terms of sustainable construction, on site renewable energy production and biodiversity net gain.
8. Any structures beyond the existing boundary of the site are temporary and any visual or other harm can be satisfactorily mitigated.

Justification for Policy

The majority of East Devon lies within one or more designated landscapes. Holiday accommodation parks, comprising static caravans, chalets and/or lodges and associated facilities, are a key feature within the tourism sector and their improvement will have a positive effect on the economy of East Devon. This should not, however, be to the detriment of the natural environment or local communities and so a policy is required to establish how applications will be determined. This is particularly important given the large scale, range of facilities, lengthy operational hours and prominent coastal locations of many existing parks and their detrimental impact on both the seascape and the landscape.

Outside designated landscapes, new or expanded parks for holiday accommodation purposes will be acceptable in principle, in accordance with the Sustainable Tourism policy.

Within the designated landscapes no new holiday parks comprising static caravan, chalet, lodge or other similarly (semi) permanent accommodation will be permitted. Existing parks will be encouraged to upgrade and improve their accommodation and other facilities where this will lessen their existing visual, environmental and amenity impact. Extensions to, and intensification of development within, existing sites will not be permitted unless this is to provide related, non-permanent ancillary facilities and any adverse impacts can be satisfactorily mitigated

East Devon Local Plan – Topic Paper

Chapter 9. Supporting Jobs and the Economy and Vibrant Town Centres

October 2024 – Version 01



East Devon – an outstanding place

Contact details

Planning Policy Team
East Devon District Council
Blackdown House, Border Road
Heathpark Industrial Estate
Honiton
EX14 1EJ

Phone: 01395 516551

Email: planningpolicy@eastdevon.gov.uk

<http://eastdevon.gov.uk/planning/planning-policy/>

To request this information in an alternative format or language please phone 01395 516551 or email csc@eastdevon.gov.uk

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1 Introduction

- 1.1 This is one of a series of topic papers that will sit behind and help explain the content of and evolution of the Publication draft of the East Devon Local Plan.
- 1.2 There may be new versions of this topic paper as plan making progresses to Publication and thereafter into and through plan Examination.
- 1.3 This topic paper specifically addresses Chapter 9 of the plan – supporting jobs, and the economy and vibrant town centres.

2 The Publication draft of the Local Plan

- 2.1 At the date that we published this draft topic paper we are moving towards production of the Publication draft of the local plan. There are specific Government regulations¹ that apply to local plan making and these set out actions that need to be undertaken at different regulatory stages (this report specifically relates to Regulations 18, 19 and 20).
- 2.2 The proposed Publication draft text of the local plan will be an edited and amended draft of the consultation draft plan published in November 2022². The draft plan was consulted on under plan making Regulation 18 and it should be noted that further limited additional consultation under this regulation took place in the late Spring of 2024.
- 2.3 The Publication plan, under Regulations 19 and 20, will be made available for any interested party to make representations on. The period for making such representations is currently planned to be from December 2024 to January 2025. The Publication plan, representations received and other relevant paperwork will be submitted for Examination, to a target date of May 2025. One or more Planning Inspectors will undertake the plan examination.
- 2.4 The first drafts of what is proposed to become the Publication plan will be considered by the Strategic Planning Committee of East Devon District Council through 2024. The expectation is that text will then be refined as the year progresses with a view to the Committee being asked to approve the final Publication plan in November 2024.

3 Summary of proposed redrafting of Chapter 9 of the consultation plan

- 3.1 This Chapter has not been substantially redrafted.

¹ [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

² [commonplace-reg-18-final-071122.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/commonplace-reg-18-final-071122.pdf)

4 Issues and Options consultation

- 4.1 Prior to production and consultation on the draft local plan the Council consulted on a local plan Issues and Options³ report. This included a series of questions that responses and comments were invited on. A feedback report was published⁴.
- 4.2 Most respondents were supportive of the Council's approach to employment, agreeing that it is important to provide sufficient land in towns, at the West End and close to housing.
- 4.3 The need to protect and enhance town centre shopping facilities was considered to be very important.
- 4.4 Rural diversification and tourism were well supported but there were concerns about the impact on the natural environment, landscape and rural roads/infrastructure.

5 Draft plan consultation

- 5.1 Chapter 9 has been subject to minor changes in response to feedback received and further technical work.
- 5.2 In the draft plan consultation, economic matters were addressed in Chapter 9. The feedback report, summarising the comments can be read here (starting on page 392) [accessible-reg-18-consultation-feedback-report-spring-2023.pdf \(eastdevon.gov.uk\)](#). Detailed comments are shown in the table below.
- 5.3 The EDNA was not available at the time of the Draft Plan consultation and a number of respondents commented negatively on this. It was subsequently published in January 2023.

³ [issuesandoptionsreport-jan2021.pdf \(eastdevon.gov.uk\)](#)

⁴ [2a. Consultation feedback report Ver 03.pdf \(eastdevon.gov.uk\)](#)

6 Further Regulation 18 consultation Spring 2024

- 6.1 At the time of drafting this report further Regulation 18 consultation on selected topic matters was taking place. ‘New’ employment sites (that had not been subject to consultation previously) were consulted on with a view to potentially allocating many of them. Should other matters pertaining to employment or other economic issues be noted in feedback they will be reported on in any redrafting.
- 6.2 Detailed responses received in respect of the employment sites are detailed in the Topic Papers relating to Chapter’s 5 and 6 as these . Generally respondents agreed with the proposed allocations and supported the rejection of those that are not proposed for allocation.

7 Sustainability Appraisal feedback

- 7.1 The draft local plan was supported by a Sustainability Appraisal⁵ (SA). This SA will be updated and refined as plan making progresses and it will be one of the documents that is submitted as part of the submission for Examination.
- 7.2 The Policy approach is preferred due to policies 51 – 61 being likely to have major positive effects by fostering a strong and entrepreneurial economy, increasing access to high quality skills training, improve job opportunities and greater productivity. Policies will support the vitality and viability of town centres, will ensure good access to services and facilities, and good connectivity. The few negative effects can be effectively mitigated.

8 Habitats Regulations Assessment

- 8.1 The local plan will need to be assessed under the Habitat Regulations. An preliminary assessment of policies in the draft plan has been produced – [east-devon-local-plan-hra-110723-2013-doc-from-footprint.pdf](#) ([eastdevon.gov.uk](#))

9 Assessment of policies in chapter 9

- 9.1 Chapter 9 of the draft plan set out a series of policies that are reviewed below.

⁵ [sa-of-pos-consultation-draft-lp_2022.pdf](#) ([eastdevon.gov.uk](#))

General issues raised on Chapter 9	
<p>This Chapter sets out the policies which will apply to economic development across the District, including town centre development, retail uses, expansion of existing businesses, farm diversification and tourism. Policies are accompanied by a range of guidance notes to ensure that jobs and facilities are provided in the most appropriate locations and are not lost to other uses.</p>	
Key technical evidence sources	
<p>The key evidence which has informed this Chapter is the Economic Development Needs Assessment Economic Development Needs Assessment (January 2023) which establishes the need for different types of employment land up to 2040, identifies some broad locations and assesses the level of supply at the tie of the study.</p> <p>Other evidence of note is the Council’s Economic Development Strategy Economic Development Strategy, the Economic Review Local Economic Review, the Employment Land Review Employment Land Review, the Tourism Strategy Tourism Strategy and the Clean Growth Vision Clean Growth Vision</p>	
Issues and options consultation	
<p>Paragraph 6.11 of the Issues and Options report identifies five areas where policies could be developed to help support the economy. These include promoting jobs close to where people live, encouraging people to patronise local businesses, supporting shared workspaces, allocating additional employment sites and links between economic development and developing a greener economy. Views were sought on whether these were appropriate.</p> <p>Although most respondents (76%) ticked the yes box, a number did suggest other objectives as well as some people ticking the no box.</p>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • The responses were used to inform policy development. • Policies have been added to address using vacant space above shops for residential use and resisting out of town uses. • A commitment to producing town centre masterplans has not been made because, whilst these are useful documents that could provide a positive framework for future development, they require a level of resources which the Council cannot definitely commit to. Instead, masterplans will be produced on an ‘as needed’ basis.

<p>Paragraph 7.6 of the Issues and Options report identified three additional areas where policies may be appropriate including the use of vacant stories over shops, resisting ‘out of town’ uses to support town centres and producing town centre masterplans to identify key areas for improvement. Although most respondents (67%) ticked the yes box, a number did suggest other objectives or qualify their choice.</p>	
<p>Draft Plan consultation</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • Lyme Regis Town Council would like more emphasis on and greater support for working from home to help with the climate crisis. • In the absence of the EDNA it isn’t possible to appropriately assess alternative strategies • Need should be assessed on a sub-regional basis, with East Devon accommodating a higher level of employment • East Devon should accommodate Exeter’s displaced employment land through allocations 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • The EDNA is now available and will inform policy making. • East Devon will meet at least the level of need identified in the EDNA. • Cross-boundary working will be undertaken with neighbouring authorities to ensure that their position is fully understood.
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • Comments related to specific sites 	<ul style="list-style-type: none"> • See site specific work elsewhere. Comments not relevant to general work.
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below.</p>	
<p>Habitat Regulations Assessment</p>	

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Key issues raised in consultation: <ul style="list-style-type: none"> No specific concerns raised. 	Officer commentary in response: <ul style="list-style-type: none"> No comments raised
Commentary on policy redrafting for the Publication Plan	
The comments have informed policy redrafting but do not warrant any particular amendments or require new policies.	

Strategic Policy 51 – Employment Development Within Settlement Boundaries

This Policy recognises how important settlement containment and self-sufficiency are in reducing the need to travel. It supports the retention and provision of employment uses within settlement boundaries to ensure that residents have access to a range of jobs close to their homes.

Key technical evidence sources

The key evidence which has informed this Chapter is the Economic Development Needs Assessment [Economic Development Needs Assessment \(January 2023\)](#) which establishes the need for different types of employment land up to 2040, identifies some broad locations and assesses the level of supply at the tie of the study.

Other evidence of note is the Council’s Economic Development Strategy [Economic Development Strategy](#), the Economic Review [Local Economic Review](#) and the Employment Land Review [Employment Land Review](#)

Issues and options consultation

Paragraphs 6.4 to 6.7 of the Issues and Options report explains why much of the recent employment development has occurred near to Exeter and where future job growth could be located. We set out a number of differing potential areas in East Devon that could accommodate future job growth and development and asked people to indicate their level of support. Overwhelmingly respondents supported increased homeworking in future. This will have wide ranging implications, for example in future housing design and infrastructure

Officer commentary in response:

- The responses are noted, particularly the support for homeworking (which is also reflected in the lower demand for office space in the EDNA evidence).
- It is disappointing that responses were low and many of the options received very little comment.

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<p>requirements, particularly broadband provision, and a need for less office space.</p> <p>The other options did not result in very clear preferences. There was slightly more support for additional development in the towns, villages and countryside than opposition but significant numbers of respondents did not express a preference or left the form blank.</p> <p>The suggestion that additional employment development should be located close to Exeter, including a focus on the West End, did not elicit a preference from most respondents, although the slight majority of those that did express a view were not supportive.</p>	
<p>Draft Plan consultation</p>	
<p>Key issues raised in consultation:</p> <p>Respondents were generally supportive of the principle of encouraging employment at settlements and providing local jobs and jobs alongside new housing.</p> <ul style="list-style-type: none"> • Strong support for improving town centres and focussing employment in them. • More specific points included: • Devon Wildlife Trust advised that Natural context is missing from this policy. Reference should be made to the inclusion of the natural environment within employment areas in order to ensure that people are able to work in areas where they are connected with nature. • Policy is contradictory- only allowing employment if there are no adverse amenity impacts could exclude most 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • The policy approach to locating and retaining employment development at settlements and providing employment alongside housing was supported by respondents and is the approach that the plan has taken. • The suggestion that natural/green space should be accommodated within employment areas is not included in this policy but will be delivered through biodiversity net gain and other policies. • Many of the suggestions- for example the need for better paid jobs for local residents- are objectives in the Economic Strategy and will be delivered through actions associated with that document as well as the policies in this Chapter eg by requiring a commitment to training and skills. • Other matters, such as town centre development, are picked up in other policies in this Chapter.

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employment uses, thus allowing a change of use to residential.

- Need to create well paid jobs for local people, not just encourage specialist employees to move to the region. The existing local workforce need improved and better skills training, the choice of jobs being made available, and increased wages. A lovely natural environment doesn't compensate for low wages.
- Housing development needs to be explicitly linked to increases in employment land so local people can work close to home.
- Clyst Honiton Parish Council believed that commercial development in rural areas should provide jobs for locals and not increase traffic. They are concerned that office developments could lead to more vehicle movements.
- Gittisham Parish Council stated that the Local Plan's allocation of 15ha of employment land at Honiton is excessive, given the amount of vacant employment land and floorspace in the area. The council also believes that the development of high-quality employment opportunities at other sites in East Devon will make Honiton less attractive as an employment location.
- Support policy approach of resisting loss of employment land but this approach should be further strengthened by a policy that limits housing development if additional employment land is not developed in parallel.
- Support joint commission of Economic Development Needs Assessment for the greater Exeter area. Crucial to ensure that the extra employment land will be sufficient to

accommodate the additional jobs required and siting will be suitable and minimise commuting.

- Employment opportunities should be developed within or next to existing employment sites, and not within residential developments.
- There should be a coherent framework for recovery and growth beyond allocating slabs of bare employment land. EDDC is well placed to encourage sustainable economic activity by supporting established businesses, encouraging start-ups, and creating a positive and welcoming environment for the sector.
- Economic growth is entirely compatible with the green agenda.
- A range of independent businesses should be encouraged, and selling and producing local products would support this.
- Business parks (such as Liverton) should not be expanded until they are full.
- Redevelopment of business parks (such as Pankhurst) indicates that there is not a need for large commercial uses.
- Commercial use in the countryside should be restricted to farms and agricultural use only.
- Failure to control ancillary use has led to a proliferation of retail and hospitality at out-of-town centre locations, damaging town centres.
- The Plan should include a positive strategy for the future development of town centres and masterplans for all East

<p>Devon towns to set out the measures (and actions) to meet their potential</p> <ul style="list-style-type: none"> • Each town centre should have an individually tailored set of proposals (or Masterplan) to take them through the Plan period. These should comprise a mix of specific proposals and general policies pertaining to that town. They should be core sections within an East Devon Local Plan, as they are everywhere else. • Town centres need basic maintenance and cleaning; decent essential facilities and services; modest levels of investment and adequate, reasonably priced parking. Town centres in East Devon look and feel neglected and abandoned. • Decent town centres are essential to tourism 	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • This policy was not specifically consulted on at that time. Employment allocations were subject to consultation. 	<p>Officer commentary in response:</p> <p>Representations on the individual sites have been taken into account through the site assessment process.</p>
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below.</p>	
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • No specific concerns raised. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • No comments raised
<p>Commentary on policy redrafting for the Publication Plan</p>	

Redrafted policy title:
<ul style="list-style-type: none"> • Policy SE 01 - Employment Development Within Settlement Boundaries
Changes to this policy have been minimal since the draft consultation. In the previous Local Plan there were several employment policies which related to provision and loss of employment land within settlement boundaries. This policy was written in consultation with development management and economic development colleagues and is considered to combine the key points in these previous policies in a more concise way.

Strategic Policy 52 – Employment Development in the Countryside

This policy balances protection for the character and qualities of the countryside with promoting appropriate scale employment. It recognises that, whilst the overall strategy is to locate most employment at the West End and in the tiered settlements to promote self containment and reduce the need to travel, there is still a need to permit small scale employment in the countryside in the countryside to support rural communities, focused on expansion of existing sites, and small scale development focused on utilising existing buildings and previously developed land.

Key technical evidence sources

The key evidence which has informed this Chapter is the Economic Development Needs Assessment [Economic Development Needs Assessment \(January 2023\)](#) which establishes the need for different types of employment land up to 2040, identifies some broad locations and assesses the level of supply at the tie of the study.

Other evidence of note is the Council’s Economic Development Strategy [Economic Development Strategy](#), the Economic Review [Local Economic Review](#), the Employment Land Review [Employment Land Review](#), the Tourism Strategy [Tourism Strategy](#)

Issues and options consultation

See General Issues above.

Draft Plan consultation

Key issues raised in consultation:	Officer commentary in response:
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- This policy received quantified support as some respondents felt that employment in the countryside should be linked to rural activities/produce and there was concern that unacceptable impacts could arise from traffic and noise.
- National Farmers Union state that farm businesses will always need to develop and adapt in order to meet market requirements and also stay viable. This is not always 'intensification' as stated in the draft plan but may just be moving into a different part of the agricultural sector, which would require different infrastructure. Where a business can show a need to develop in order to remain financially viable it is important that the local plan can facilitate this or it risks contraction in agricultural businesses and a loss of employment.
- Object to policy as it doesn't recognise benefits of business parks in the countryside eg Greendale Barton. Agents for the owners say that the site is not isolated, a major A road with bus stops runs alongside it, the site is very attractive to businesses and is fully occupied, it is operationally sustainable due to being exclusively powered by renewable energy generated on site and the owners have a 22 ha expansion plan to enhance overall sustainability as well as providing for more businesses. In future it will meet the needs of the new town.
- Support a wide mix of sites and intensification/extension of successful sites

- This policy complements the previous policy by enabling some employment development in the countryside, outside the settlement boundaries.
- Some responses referred to a need to relate countryside employment to rural activities only, this is considered too onerous in itself (given that many successful non-rural businesses operate in the countryside already), however the policy is restricted to supporting expansion of existing businesses and reuse of rural premises rather than giving carte blanche to establishing new employment uses on greenfield sites. This is considered to strike a fair balance between protecting the countryside and reducing the need to travel and ensuring that employment is available to rural communities.
- Farm diversification and tourism are addressed in other policies so do not need to be permitted under this policy.
- Impacts of development, eg amenity, traffic etc are considerations that will apply under other policies of the plan.
- The potential conflict between this policy requiring rural buildings to be well located in relation to tier 1-2 settlements and the farm diversification policy (refers to 1-4 settlements) is noted and policy wording has been amended.
- The point that policy should refer to expansion/extension rather than just intensification will be incorporated into policy

- Include policy reference to need to balance adverse aesthetic impacts against benefits in areas of high employment demand
- Include reference in policy to additional consideration being given to existing employers to safeguard existing valuable jobs
- Re-use of existing rural buildings only where they are not close to residential buildings so would not impact upon their amenity with additional traffic, noise etc.
- Intensification of current operations is permitted with some constraints, but need greater consideration of the impact on residents and traffic. Workshops using heavy machinery generate noise and cause distress to nearby residents.
- First section of policy requires criteria on which to judge potential harm.
- Second part of policy is unrealistic in terms of being readily accessible to the Tier 1 and 2 settlements via a range of modes of transport, and noting that the farm diversification policy refers to access to tiers 1-4.
- Is this policy intended to apply to agricultural development? A separate policy for agricultural buildings and other development such as slurry lagoons would be better.
- Policy should require a demonstrable demand for new Employment development in the countryside as otherwise there is the risk the land could be used for residential purposes by default.
- This policy is open to mis-use.

- Too permissive and open ended. Development in the countryside should be limited to that which supports local and rural enterprise and has no visual impact or requirement for HGV's unsuitable for local lanes.
- Commercial uses in the countryside should be associated with agricultural use, increasing sustainability and access to local produce. This would reduce need to import food.
- Converting old farm buildings such as barns into independent shops ie a farm shop or to rent as a home or holiday is ok, but priority must be given to agricultural workers.
- Local farm shops should be encouraged (Exmouth was suggested as a potential location)
- This is standard policy to control these circumstances but should be enforced.
- The East Devon AONB team support the requirements that "the scale, siting and appearance of buildings and activities associated with the proposed development is appropriate to the rural character of the area and will not adversely impact local amenity" and "no adverse impact on the character of surrounding natural or historic environment".
- Policy is too restrictive by not applying to existing business parks, industrial estates, and employment sites in the countryside – need to provide opportunities for rural businesses to grow, crucial for the prosperity of the rural economy.
- Support intensification of existing rural employment businesses but policy text does not reflect more supportive justification text.

<ul style="list-style-type: none"> • Hawkchurch Parish Council - As it stands, this policy could allow development that would have adverse effects on local neighbourhoods because of increased traffic, noise, etc. Criteria should be included that address such potential impacts. It would also be worth considering the location in relation to settlement boundaries – any such business in the immediate vicinity is more likely to have adverse impacts on communities. • Policy must be explicit that development includes the intensification of businesses via the expansion of their operational sites. 	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • This policy was not specifically consulted on at that time. Employment allocations were subject to consultation. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • Representations on the individual sites have been taken into account through the site assessment process.
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below.</p>	
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • No specific concerns raised. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • No comments raised
<p>Commentary on policy redrafting for the Publication Plan</p>	
<p>Redrafted policy title:</p> <ul style="list-style-type: none"> • Policy SE 02 - Employment Development in the Countryside 	

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The policy was redrafted to refer to extension of existing employment businesses as well as intensification. The explanation as to what constitutes development was deleted as it is set out in legislation. The criteria relating to re-use of rural buildings was expanded to ensure that buildings are not taken out of active agricultural use

Strategic Policy 53 – Farm Diversification

This policy recognises the importance and changing role of agriculture and the need for new employment in rural areas as a means of supporting long term agricultural viability. Changes in agriculture have made diversification increasingly important and this policy enables farms to generate additional income to support farming activities whilst avoiding harm to, and integrating into, the local area. There is considerable potential synergy between a greener economy and farm diversification.

Policy focuses on development where the scale and type is appropriate to the existing business and the rural character of the area. The priority is for making use of available and suitable buildings on a holding. New buildings, where justified and acceptable, should be well integrated with the existing holding to help them harmonise with the surrounding environment.

Key technical evidence sources

The key evidence which has informed this Chapter is the Economic Development Needs Assessment [Economic Development Needs Assessment \(January 2023\)](#) which establishes the need for different types of employment land up to 2040, identifies some broad locations and assesses the level of supply at the time of the study.

Other evidence of note is the Council’s Economic Development Strategy [Economic Development Strategy](#), the Economic Review [Local Economic Review](#), the Employment Land Review [Employment Land Review](#), the Tourism Strategy [Tourism Strategy](#)

Issues and options consultation

See General Issues above.

Draft Plan Consultation

Key issues raised in consultation:

- The Environment Agency support this policy and welcome acknowledgment that it may be necessary to limit the scale of

Officer commentary in response:

- The particular infrastructure requirements that are likely to apply to rural farm development are noted and are acknowledged in the policy.

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on-farm anaerobic digester. There are some existing sites in the district that attract complaints and further expansion should be considered very carefully, especially for businesses that could cause additional or new complaints regarding odour, noise, dust, or other nuisances.

- Suggest that 'established farm holdings' are defined as those that have been operational for some years until present.
- National Farmers Union support the policy but state that it is hard to always remove all adverse impacts and these must be viewed objectively and not allowed to be weighted heavily against a proposal
- Need to consider what adverse impacts such as traffic, noise or other pollution, there may be when in, for example an historic village or hamlet, close to homes / with quiet lanes used by residents for walking, cycling, horse riding etc. Here the adverse impacts would likely be greater than those in the open countryside and carry greater weight against any positive impacts.
- The policy needs a bolder, clearer statement that the loss of farmland from food production will be resisted. Diversification should be supported but primarily as a means of ensuring continued food production and only as a last resort to move into other land uses.
- Last bullet should be re-worded more positively, ""proposals provide for the retention of hedgerows and trees and improvement in biodiversity"".
- A further bullet - that any diversification are to have no impact on existing views of hill-sides, AONB and ridge lines.

- Farm holdings will be qualified as those that have been established for at least 10 years.
- A balance is struck in policy between adverse impacts and the wider benefits of development
- Although Policy sets out particular criteria to be applied, this is because the characteristics of rural farms are different to those of other types of employment development and this is a more permissive policy than would usually apply in the countryside. Other plan policies and requirements (such as landscape, ecology and heritage) will still apply.
- The range of uses to be permitted will be widened although this will need to be accompanied by a viability statement to ensure that it is a genuine, sustainable long term diversification scheme.

- A demand for new Employment development on Farms must be demonstrated to avoid this land being used for residential purposes by default.
- There is potential conflict with the rural workers accommodation policy in so far as rural farm accommodation could be used as holiday accommodation under a diversification application and this should be controlled.
- Alternative methods of food production that keep emissions of greenhouse gases to a minimum should be encouraged. Precision Fermentation could be a community-led way of sustaining the local populace but would need infrastructure such as energy and water to support it which need planning for.
- Encouraging diversification makes sense to allow additional income streams for farming businesses.
- Farm buildings should be retained for their heritage value and uses should be appropriate to this eg no unsightly scrap yards etc
- The picture accompanying this policy is not a farm.
- These are standard provisions to control this kind of development.
- The East Devon AONB team support the requirements that “the scale, siting and appearance of buildings and activities associated with the proposed development is appropriate to the rural character of the area and will not adversely impact local amenity” and “no adverse impact on the character of surrounding natural or historic environment”.
- Paragraph 1 is too restrictive in specifying use classes which could prevent additional and much needed income streams; the criteria in paragraph 3 will ensure proposals are

<p>acceptable. The policy should be worded more flexibly like current Local Plan Policy E4</p>	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation: This was not subject to consultation at that time.</p>	<p>Officer commentary in response:</p>
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below.</p>	
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised in consultation: <ul style="list-style-type: none"> No specific concerns raised. </p>	<p>Officer commentary in response: <ul style="list-style-type: none"> No comments raised </p>
<p>Commentary on policy redrafting for the Publication Plan</p>	
<p>Redrafted policy title:</p> <ul style="list-style-type: none"> Policy SE 03 – Farm Diversification 	
<p>The draft policy has been amended to widen the range of diversification activities that will be supported and place less restrictions on prioritising E(g), B2 and B8 employment uses, however this also means that a viability statement is required to demonstrate how the activities will support the long term sustainability of the farm holding. This is felt to strike an appropriate balance between recognising that these types of employment activities may not usually be permitted in rural areas and may lead to some adverse impact and demonstrating how this is to be outweighed by the positive benefits of such development. Because the District’s rural farms do have special characteristics not shared by other types of development or activity, the policy is quite detailed in setting out the criteria that will apply, the particular infrastructure requirements and the potential impacts on the farm business, buildings and character but, as with all policies, these will be applied in conjunction with the whole plan policies.</p>	

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Strategic Policy 54 – Resisting the Loss of Employment Sites

Existing employment sites and proposed employment allocations in East Devon are nearly all in places where housing accommodates or is planned to accommodate much of the labour supply, and where future housing on new local plan allocations will be concentrated. This enables settlements to be more self-contained and better able to support local communities, as well as reducing the need to travel. Relatively few sites were submitted for consideration as employment land and competition for land from higher value uses can make delivering employment development very challenging, whether new build or for redevelopment. The plan therefore includes this policy aimed at retaining existing or proposed employment sites and land provided that they are available, suitable and achievable over the plan period. The EDNA and supporting analysis of employment sites provides vital information in justifying the identification of existing and proposed employment sites in East Devon.

This policy focuses on protecting employment land in order to maintain sufficient supply of employment land, providing a range and choice of sites over the plan period. The EDNA provides the evidence about the amount of need for employment land but, given the low level of brownfield sites available in East Devon, the need for additional employment land is mostly going to be met on greenfield sites. To avoid the risk of needing to identify even more sites to mitigate loss of employment land to other uses, it is essential that existing Employment Areas within the existing settlements are protected to maintain the quantity and enhance the quality of the employment capacity they provide.

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Key technical evidence sources

The key evidence which has informed this Chapter is the Economic Development Needs Assessment [Economic Development Needs Assessment \(January 2023\)](#) which establishes the need for different types of employment land up to 2040, identifies some broad locations and assesses the level of supply at the time of the study.

Other evidence of note is the Council’s Economic Development Strategy [Economic Development Strategy](#), the Economic Review [Local Economic Review](#), the Employment Land Review [Employment Land Review](#)

Issues and options consultation

See General Issues above.

Draft Plan Consultation

Key issues raised in consultation:

Officer commentary in response:

<p>Exmouth Town Council made a general comment that, in Exmouth, the existing policy relating to the loss of employment land has not proved effective and they have lost several employment land allocations in favour of housing development. More robust protection is needed; Clyst Honiton Parish Council believes that this policy may be too restrictive, as it could prevent villages from developing in a way that benefits their residents. Some villages have had unwanted employment sites for many years, and local people would like to see these sites redeveloped into housing. Keeping these sites derelict can harm the village's schools and local services, and the council is concerned that this policy could prevent villages from addressing this problem; Churchill Retirement Living supports the need to retain high-quality employment sites, but they have concerns about the wording of policy54. The term "employment" is not defined, and the preconditions listed in the policy are too extensive and time-consuming. They would delay the regeneration of previously developed sites.</p>	<ul style="list-style-type: none"> • This policy generated few comment as there wasn't a question directly related to it. • This policy is more tightly worded than the previous policy and the requirements for demonstrating that a site is no longer viable are clearly set out in guidance. This would address Exmouth Town Council's concern that sites have been lost because the policy wasn't effective as well as Clyst Honiton's concern that sites are derelict and could be given alternative uses. • Employment is defined at the beginning of the chapter and in the glossary. • The listed requirements are comprehensive and, whilst it may be time consuming to market a site and consider reasonable alternative uses, it is essential to ensure that viable site aren't lost to higher value uses
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Supplementary Regulation 18 consultation Spring 2024

<p>Key issues raised in consultation: This policy was not subject to consultation at that time</p>	<p>Officer commentary in response: None</p>
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Sustainability Appraisal

<p>See Sustainability Appraisal table below.</p>	
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Habitat Regulations Assessment

<p>Key issues raised in consultation: <ul style="list-style-type: none"> • No specific concerns raised. </p>	<p>Officer commentary in response: <ul style="list-style-type: none"> • No comments raised </p>
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Commentary on policy redrafting for the Publication Plan	
Redrafted policy title: <ul style="list-style-type: none"> • Policy SE 04 – Resisting the loss of Employment sites 	
This Policy attracted relatively few comments and has not been substantively redrafted other than some very minor rewording and reordering for clarity and flow.	

Strategic Policy 55 – Employment and Skills Statements	
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This policy requires larger developments to commit to providing Employment and Skills Statements in order to provide work experience, apprenticeship and other training opportunities and should relate to the demolition, site preparation and construction phases of development. They will usually be secured through a suitably worded pre-commencement planning condition and/or a S106 legal agreement.	
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Key technical evidence sources	
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<p>CITB: Construction Industry Training Board - CITB has an evidence base which justifies and demonstrates that the benchmarks requested are proportionate and achievable.</p> <p>https://www.citb.co.uk/media/1bdedmf1/english-client-based-approach-contractor-guidance.pdf sets out the employment and skills benchmarks to be used as a starting point for negotiations with developers</p>	
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Issues and options consultation	
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<p>Paragraphs 6.8 to 6.10 of the Issues and Options report discuss what sort of jobs the local plan should encourage, including the opportunities to attract new and emerging sectors with highly skilled jobs. We asked about the level of support for different options.</p> <p>Support was strongest for more local entrepreneurs (51.8% strongly support) and traditional sectors (37% strongly support),</p>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • The support is welcomed and the comments have borne out the anecdotal and economic review evidence provided by the Economic Development Team
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<p>followed by more high tech jobs (30.3% support) and, finally, more jobs through new and larger employers (17.6% support), with more than a quarter of respondents having no opinion on the latter and more than 7% opposing or strongly opposing this option.</p>	
<p>Draft Plan Consultation</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • Devon County Council state reference should be made to the Skills Academy, aeronautical engineering opportunities and implications of moving towards Net Zero. • The trigger is too high, should be required at much lower thresholds • Clarification is required as to the type of skills and ensure they are inclusive • Schools, colleges and HE providers need to be involved as well as employers • What is EDDC's strategy for employment? How can a policy be written without the supporting evidence • Further evidence is required, the policy is unsound. If there is a skills gap, it should either be a matter for the education sector to address or if there are training needs a matter for an employer to identify and address as they see fit. • Imposing additional financial obligations relating to this requirement is yet another financial burden on development, resulting in the potential to reduce job creation and the opportunities naturally presented for informal on the job learning. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • The Draft Plan didn't contain a proposed policy, rather it was an indication as to what the policy should consider. The approach now proposed to be taken to these statements is based on the CITB guidance and benchmarks as these are tried and tested elsewhere in Devon (and nationally). • The approach is likely to vary between developers and scheme so the opportunities offered will differ but all will need to meet the benchmark standards set out in the guidance. • The thresholds have been applied successfully in other Devon authorities. It is considered that they are high enough that viability won't be unduly impacted and the requirements can be managed through the available Council resources but they will apply to enough schemes that a meaningful number of training opportunities will be delivered.

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<ul style="list-style-type: none"> • This requirement is too onerous and too big a risk for the developer- eg the end users may be as yet unknown, there is no evidence that the end users will have either a skills gap or be feasibly able to deliver on commitments. • This will create a disadvantage to developers in East Devon competing against sites in authorities without such requirements • Jobs need to be created for local people, and not just specialist jobs to encourage more people into the region. It must start at local level first. The existing local workforce must see an improvement in more and better skills training, the choice of jobs being made available, with an associated improvement of wages • Let the market decide without any further interference. • Important to support growing sectors, but unclear how the policy will do this • Developers must adhere to the statements and EDDC take action to enforce them • Apprenticeships are key- Skills in wood carpentry, thatching and farming in the agricultural area must be encouraged. Many skills have been lost. • Independent and sustainable businesses should be the focus, to reduce commuting • Over prescriptive, and far too complicated. The costs of implementing this policy will exceed any benefit. 	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation: This was not the focus of consultation at that time.</p>	<p>Officer commentary in response: None</p>

Sustainability Appraisal	
See Sustainability Appraisal table below.	
Habitat Regulations Assessment	
Key issues raised in consultation: <ul style="list-style-type: none"> No specific concerns raised. 	Officer commentary in response: <ul style="list-style-type: none"> No comments raised
Commentary on policy redrafting for the Publication Plan	
Redrafted policy title: <ul style="list-style-type: none"> Policy SE 05 – Employment Skills Statements 	
Policy was indicative at Regulation 18 stage and it has now been evidenced and reworded. The policy is based on a tried and tested approach, thresholds which have been successfully applied in nearby authorities and the benchmarks that will be applied are proportionate and achievable.	
Strategic Policy 56 – Town Centre Hierarchy, Sequential Approach and Impact Assessment	
<p>This strategic policy establishes the network and hierarchy of town centres within which town centre development policies will apply and the threshold and sequential test which will be applied to town centre uses that are proposed elsewhere. Maintaining the vitality and viability of the town centres in East Devon is a strategic priority in the plan.</p> <p>This policy is also the starting point for the suite of non-strategic policies on town centres and primary shopping frontages, local shops and services, and rural shops.</p> <p>It sets out the sequential test threshold that will apply to town centre uses proposed outside town centres.</p>	
Key technical evidence sources	
1a. Role and Function of Settlements_report_v3 final draft for SPC.pdf (eastdevon.gov.uk)	

<https://eastdevon.gov.uk/media/yxdkdfpo/3a-retail-town-centres-and-sequential-test-topic-paper-appendix-1.pdf>

Issues and options consultation

Question 27 sought views on respondents preferred pattern of development.

There was little difference in the popularity of options 1, 2 and 3. Option 1 to retain the same settlement hierarchy as the current Local Plan was marginally the most popular, chosen by 149 respondents, closely followed by option 2 to have fewer villages (143 respondents), and then option 3 for a higher number of villages (142 respondents). An alternative approach was suggested by 83 respondents (14% of the total).

Officer commentary in response:

- Noted, however town centre policy will apply to those settlements with town centre shops and facilities. Whilst these are mostly Tier 1 and 2 settlements, there are several smaller ones that fall into the Tier 3 and 4 categories.

Draft Plan Consultation

Key issues raised in consultation:

- Unsure how this will regenerate town centres.
- Support that out-of-centre sites should be accessible by bicycle and well connected to the centre.
- ‘Edge of (town) centre’ developments should only be allowed where it is shown there will be no adverse impact on the vitality and economic vibrancy of its nearby town centre.
- Prefer current policy.
- Object to inclusion of Hawkchurch as a Tier 4 settlement on transport grounds (only one bus per week) and concern that

Officer commentary in response:

- This is a strategic policy that establishes the settlements which contain town centres to which the other town centre related policies will apply.
- Many of the respondents raise matters of detail which are outside the scope of this policy.
- The hierarchy of settlements is established through other policies in the Plan and this policy can’t change them.
- Settlements with a town centre are a matter of fact.
- Policy has been amended to make it clear that the centre should be accessible by public transport, foot and bicycle.

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shop is reliant on volunteers and will be engulfed by the proposed allocation.

- This hierarchy seems wrong. Tier 3 centres vary considerably. Budleigh is fairly large. Lympstone has a train line. The other three settlements should be tier 4.
- The accessibility of edge-of-centre and out-of-centre sites on foot and bike needs to be such that anyone can use the provision rather than only being possible for those who are fit and able or confident enough.
- Exmouth town should be redeveloped as it has lost it's historic character and is bland and run down. This could extend to celebrating maritime heritage on the seafront, restoring the arcade building and building a new swimming pool with hot tubs
- Independent businesses with a focus on sustainability need encouraging. Farm shops could be located in towns.
- Focus housing in the town centres (especially Exmouth) as an alternative to building on the AONB's/countryside
- Shop frontage and signs must also be kept in keeping with the heritage of the area as this too can have a negative impact on the area.
- Artisan markets and craft markets and farmers markets should be encouraged.
- Out of centre sites should be actively discouraged and policy should reflect this. A 'sequential test' is very unlikely to be robust enough to protect our town centres.
- The policy does not recognize the problems that our town centres face, the issue of adequate and cheap parking, and does not offer any hope for improvement

<ul style="list-style-type: none"> • Sidmouth Cycling Campaign support the policy that out of centre sites should be accessible by bicycle and well connected to the centre. • Exeter Cycling Campaign would like 'by these modes' to be added after 'centre'. Currently this doesn't actually say that they should be well-connected to the centre by public transport, bicycle and foot. They can be accessible from some other point by all those things, but not necessarily the centre, so this should be explicitly stated. 	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation: None Specifically although town cenpolicy boundaries</p>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • Insert item <p>Insert item</p>
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below.</p>	
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • No specific concerns raised. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • No comments raised
<p>Commentary on policy redrafting for the Publication Plan</p>	
<p>Redrafted policy title:</p> <ul style="list-style-type: none"> • Strategic Policy SE 06 - Town Centre Hierarchy, Sequential Approach and Impact Assessment 	
<p>This strategic policy identifies those settlements with town centres within which the town centre policies will apply and the threshold and approach to the sequential test for town centre uses proposed elsewhere. It has not been significantly amended as most responses highlighted matters that were beyond the scope of the policy however a section has been added to clarify that Cranbrook town centre will be subject to the policies of the Cranbrook Plan.</p>	

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Strategic Policy 57 – Town Centre Development

In line with the NPPF, the council supports the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. As part of a positive strategy for the future of each town centre, through this policy the Local Plan defines their extent and makes clear the range of uses that are acceptable within them.

Key technical evidence sources

1a. [Role and Function of Settlements_report_v3 final draft for SPC.pdf \(eastdevon.gov.uk\)](#)
<https://eastdevon.gov.uk/media/yxdkdfpo/3a-retail-town-centres-and-sequential-test-topic-paper-appendix-1.pdf>

Issues and options consultation

Question 15 sought views on these options and we set out a number of differing potential uses and approaches to promoting town centre vitality and activity. Levels of support were sought.

Most respondents favoured mixed commercial uses in town centres, with over half of respondents supporting leisure or community uses and very little opposition to these. Dominant retail use (as has traditionally been promoted by policy) received around 30% support and a similar level of opposition. . In the written comments the use of upper floors for services, community

Officer commentary in response:

- Support for vibrant town centres offering a range of retail and other services, is noted, and policy will seek to support this.

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<p>activities and housing was strongly supported and a range of measures suggested to encourage this.</p> <p>A significant proportion of respondents (around 20%) were opposed to change of use to housing, although this also received considerable (quantified) support. In the written comments most concern related to the permanent loss of retail units to housing and the consequent impact on the retail function of the town centres. Edge-of-centre and first floor residential use received considerable support.</p> <p>The need for town centres to be vibrant social spaces was expressed by many respondents. A range of activities, areas to sit and increased community, health and service uses were seen as a major draw.</p>	
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Draft Plan Consultation

<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • Devon County Council welcome this policy but suggest it is strengthened to ensure there is no overall erosion of critical mass of activity within its retail core. • Devon Wildlife Trust advised the requirement for enhancement of the natural environment should be included within this policy. The provision of well designed, connected, diverse natural corridors through town centres can act as important flagship projects showcasing the benefits of the natural environment. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • It is agreed that centres should be accessible by bicycle and that enhancement of the natural environment within town centres should be required where possible, therefore the policy has been amended accordingly. • Other suggestions are largely outside the scope of this policy, either because they seek to control/reduce uses which the NPPF considers appropriate for town centres or because they relate to detailed matters in specific town centres.
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- Cranbrook town centre is poorly designed and doesn't really exist. It isn't clear where the shops are/will be and they aren't close to the station.
- Support the reference to shop frontages as it is consistent with the current SPD relating to Exmouth's shop front policy.
- Object to loss of retail premises to housing.
- The statement that change of use to residential will only be permitted if 'there is no demand for town centre use' should be strengthened. With an increasing number of businesses closing it would be good to see more positive proposals for invigorating town centres.
- Should Beer really be in this group?
- Exmouth Town centre lacks visual appeal. There needs to be more character and are good examples of this are Sidmouth, and cities such as Bath.
- Rejuvenation (of Exmouth) is a must and to encourage independent, sustainable businesses rather than more hairdressers, charity shops and fast food outlets.
- This is a standard version of a long-established policy. The use of upstairs accommodation for residential purposes is greatly discouraged because many of our town centre buildings are listed or are situated in a Conservation Area, so alterations to allow occupation are very expensive and are often rejected.
- Exeter Cycling Campaign would like to explicitly mention the need to enable cycling as a means of transport, with prominence given to properly-designed and located cycle parking. Towns like Honiton and Axminster currently have

<p>very few Sheffield cycle parking stands and these are often inconveniently located.</p> <ul style="list-style-type: none"> • Churchill Retirement Living supports the proposed Exmouth Town Centre boundary. 	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation: This consultation focussed on the policy wording and the proposed Town Centre Area and Primary Shopping Area boundaries.</p> <p>Around 100 responses were received and these were split across all of the proposed town centre areas. The vast majority of respondents were satisfied with the policy and proposed policy boundaries, however there were numerous suggestions as to how the town centres could be improved and how the boundaries could be amended.</p> <p>The responses to the question about Town Centre Retail Areas reveal a wide range of concerns and suggestions. Many respondents express worries about the decline of town centres, the impact of out-of-town developments, and the need for revitalisation. There are also comments about specific towns, parking issues, and the importance of supporting local businesses.</p> <p>Several respondents offer suggestions for improvements and policy changes.</p> <p>Key points raised, in order of frequency:</p> <ol style="list-style-type: none"> 1. Concerns about out-of-town developments 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • Many of the responses relate to matters that are outside the scope of the policy (for example operational/management issues such as cleanliness, the need to offer free car parking or restrict chain stores from operating) or relate to matters of detail in specific town centres. • With regard to the impact of town centre policy on settlements in neighbouring authorities, there are two market towns in close proximity to the boundary of East Devon which could potentially be impacted by proposals at Axminster. Both towns are similarly in character to Axminster and offer a similar range of facilities although Chard has three supermarkets and Lyme Regis has one smaller, town centre store whilst Axminster has two. It is not proposed to significantly expand or alter the extent of the town centre in Axminster and so it is not clear what ‘influence’ on Lyme Regis Dorset County council are referring to. • Devon County Council raise concerns that sufficient car parking should be provided to meet the needs of visitors to the towns. Car Parks are included within the town centre boundaries (recognising their importance) so that the impact of any proposed changes of use can be assessed. In any case, most are local authority owned and have not been submitted through the HELAA for consideration.

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- Opposition to building units for national chains outside existing town centres
- Warnings about the negative impact on town centre vitality
- 2. Parking and accessibility issues
 - Calls for more affordable and accessible parking
 - Suggestions for park-and-ride facilities and pedestrianisation
- 3. Support for local and independent businesses
 - Emphasis on the uniqueness of independent businesses in East Devon
 - Need for lower business rates and better council engagement
- 4. Town-specific concerns and suggestions
 - Calls for redevelopment of specific areas (e.g., Magnolia Centre in Exmouth)
 - Suggestions for improvements in Axminster, Exmouth, and other towns
- 5. Environmental and design considerations
 - Prioritisation of trees, shade, and natural drainage in town centres
 - Careful design to maintain existing character while allowing for expansion
- 6. Classification and designation concerns
 - Questions about the classification of smaller settlements like Lympstone
 - Clarification needed on development policies for non-designated areas
- 7. Adaptation to changing retail landscape
 - Need to address balance between town centres and online shopping

- DCC suggest that converting underused upper floors of shops into high-quality flats could benefit town centres by increasing footfall and supporting local businesses and this is encouraged through the policy.
- DCC also say that, to safeguard the long-term vitality of town centres, the policy must prioritise protecting core retail and leisure areas and implement strict controls on changes of use. This is proposed through the policy.
- With regard to the policy boundaries, most were supported in their proposed positions.
- In Exmouth it was suggested that the bus/train station should be excluded from the town centre, as should Exeter Road. Both of these suggestions were considered when the boundary was drawn. The bus and train stations are located on the edge of the main shopping area, however they lie immediately next to car parks, a small supermarket and leisure centre and these are all considered to be town centre uses, therefore the boundary includes them.
Exeter Road extends some distance out from the main retail concentration in the town centre, however it contains a collection of shops, food outlets and community buildings as well as houses, all of which are considered to be town centre uses. The shopping area designation does not extend as far as the town centre area, recognising that Exeter Road is not a primary location for retail use.
- In Honiton it was suggested that New Street should be excluded from the Primary Shopping Area and this should focus on the High Street. This is not supported as the same concentration of shops extends from the High Street into the northern end of New Street and there is no discernible difference in the retail character.

- Recognition of declining demand for retail space and need for town centres to adapt
- 9. Tourism and visitor economy
 - Concerns about declining visitor numbers and hotel accommodation
 - Need for policies to support tourism and attract higher-spending visitors
- 10. Public realm and town centre attractiveness
 - Calls for investment in improving existing town centres
 - Concerns about declining maintenance and cleanliness of public spaces

- Various minor amendments were suggested at Ottery St Mary to ensure that specific businesses are included in the Town Centre and Primary Shopping Areas. These are rejected on the basis that the town centre is focussed on the area where most non-residential activity takes place and, whilst these additional areas do include retail and other businesses they are located sporadically and interspersed with numerous houses.
- In Seaton, respondents have requested that the Primary Shopping areas be extended to form one continuous area rather than two separate areas. This would follow the boundary of the Town Centre Area. This suggestion is rejected on the basis that the Primary Shopping Areas contain the main concentration of retail uses and these are located in two distinctly separate parts of the town centre with intervening residential and other non-retail uses between them.
- In Sidmouth it is suggested that the Town Centre and Primary Shopping Area should extend along the seafront to include the visitor accommodation along it. This suggestion is resisted because, although these uses could be appropriate in a town centre, they are not retail uses, and they are peripheral and very different in character to the rest of the Town Centre Area. In any case, they are covered by the sustainable tourism policy in the plan.

Statutory organisations summary

Devon County Council

Support the overall policy. However, concerns arise about how this will be achieved through the proposed Tier 1 and Tier 2 retail areas. While encouraging sustainable transport, the importance of sufficient car parking for those travelling from further afield cannot be overlooked. To maintain vibrant town centres, a balance between these options is essential. Additionally, converting underused upper floors of shops into high-quality flats could benefit town centres by increasing footfall and supporting local businesses. To safeguard the long-term vitality of town centres, the policy must prioritise protecting core retail and leisure areas and implement strict controls on changes of use. This will prevent the gradual erosion of town centres and maintain their appeal to residents and visitors alike.

Historic England

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Welcomes the policy’s focus on enhancing town centres and the Council will seek opportunities to the natural and historic environment.
Dorset Council
Raised concerns about the East Devon Local Plan's potential impact on neighbouring areas. Specifically, they believe that the plan should consider the influence of nearby settlements like Lyme Regis when determining town centre development.

Axminster Town Centre

Why do you feel this way and do you have any other comments?

The responses to the question about site Axmi_16 not being allocated express a range of perspectives. While some commenters support the non-allocation decision, citing concerns about infrastructure capacity and the need to preserve commercial uses in the town centre, others argue that the site's brownfield status makes it suitable for residential redevelopment. There are also calls for a balanced approach that considers the wider needs of the growing Axminster community.

Key points raised, in order of frequency:

1. Infrastructure and Service Capacity Concerns
 - Doubts about the ability of Axminster's infrastructure, including roads, schools, and

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public transport, to support additional housing development

- Worries that the town has already reached a saturation point for new housing

2. Importance of Retaining Commercial Uses

- Views that the site should remain in commercial use to support the town centre and local amenities
- Concerns about the loss of important facilities like the Co-op store

3. Support for Residential Redevelopment of Brownfield Sites

- Belief that brownfield sites like Axmi_16 are suitable for housing development
- Potential for the site to provide much-needed affordable housing

4. Calls for a Balanced Approach

- Acknowledgment of the need to consider the wider benefits and impacts of development allocations
- Suggestions that Axminster has already experienced a high level of housing growth

5. Concern over process

- Feeling that all areas have been drawn inconsistently, with some areas in Axminster being included when excluded in others and vice versa.

Statutory organisations summary

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<p>None</p> <p>Axminster:</p> <ul style="list-style-type: none">• No specific suggestions for inclusion or exclusion were made in the comments provided <p>Beer Town Centre</p> <p>The responses to the question about the proposed Beer Town Centre Area and Primary Shopping Area are generally positive, with respondents appreciating the current character and offerings of Beer. However, there are some suggestions for improvements and concerns about future growth and sustainability. The comments touch on various aspects, including the village's appeal, environmental considerations, and broader issues affecting town centres.</p> <p>Key points raised, in order of frequency:</p> <ol style="list-style-type: none">1. Satisfaction with current layout and usage<ul style="list-style-type: none">○ Reflection of current usage in the proposed areas○ Appreciation for Beer's existing character and offerings2. Environmental enhancements<ul style="list-style-type: none">○ Suggestion to prioritise trees and shade in the town centre○ Incorporation of natural drainage systems	
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- 3. Limited room for growth
 - Concern about lack of space for future expansion
- 4. Business and economic considerations
 - Need to address balance between town centres and online selling
 - Call for lower business rates to support local businesses
- 5. Positive attributes of Beer
 - Recognition of Beer as a popular and well-supported village
 - Appreciation for local amenities (beach, pubs, restaurants)

Statutory organisations summary

None

Beer:

- No specific suggestions for inclusion or exclusion were made in the comments provided

Budleigh Salterton Town Centre

The responses to the question about the proposed Budleigh Salterton Town Centre Area and Primary Shopping Area reveal mixed feelings. While some respondents are satisfied with the current layout, others express concerns about empty shops and the need for adaptation. There's a strong emphasis on preserving the town's unique character while also addressing challenges faced by local businesses.

Key points raised, in order of frequency:

1. Preservation of town character
 - Desire to maintain Budleigh's unique charm and layout
 - Satisfaction with current town centre arrangement
2. Concerns about empty shops and retail decline
 - Noticeable increase in vacant retail spaces
 - Suggestion to ease conversion of shops to residential use
 - Planning and development issues
 - Calls for faster decision-making on commercial applications
 - Criticism of delays in approving new developments (e.g., Old Sorting Office)
4. Environmental improvements
 - Suggestion to prioritise trees, shade, and natural drainage in the town centre
5. Parking and accessibility

- Importance of maintaining easy parking and vehicle access for trade

Statutory organisations summary

None

Budleigh Salterton:

- No specific suggestions for inclusion or exclusion were made in the comments provided

Colyton Town Centre

The responses to the question about the proposed Colyton Town Centre Area and Primary Shopping Area show a mix of satisfaction with the current layout and frustration with the proposal process. While some respondents agree with maintaining the existing retail area, others express concerns about the utility of the proposal and the quality of local shopping options.

Key points raised, in order of frequency:

1. Satisfaction with current layout
 - Agreement that the existing retail area should remain the same
 - Recognition that the proposal reflects current usage

2. Criticism of the proposal process
 - Frustration with proposing what already exists
 - Concern about time and money spent on the proposal
3. Suggestions for alternative improvements
 - Call to keep public toilets open
 - Recommendation to focus on road resurfacing in the town centre
4. Concerns about local shopping options
 - Lack of decent convenience stores
 - Poor selection of produce
5. Local government agreement
 - Colyton Parish Council's support for maintaining the existing retail area

Statutory organisations summary

None

Colyton:

- No specific suggestions for inclusion or exclusion were made in the comments provided

Exmouth Town Centre

The responses to the question about the proposed Exmouth Town Centre Area and Primary Shopping Area reveal a general dissatisfaction with the current state of the town centre. Many respondents express concerns about the dated appearance, lack of variety in shops, and the need for significant improvements. There are also suggestions for redevelopment, environmental enhancements, and a call for better engagement with property owners and businesses.

Key points raised, in order of frequency:

1. Need for improvement and modernisation
 - Town centre described as run-down, dated, and lacking appeal
 - Specific concerns about the Magnolia Centre's appearance and maintenance
 - Calls for updating and redeveloping key areas, including the former post office site
2. Suggestions for environmental enhancements
 - Recommendations for more trees, planting, and natural drainage
 - Desire to minimise concrete and improve overall aesthetics
3. Retail and business concerns
 - Recognition of changing shopping habits and increase in online shopping
 - Need for more variety in local independent shops

- Suggestions to allow conversion of long-term empty shops to residential use
- 4. Housing and residential development
 - Proposals to encourage residential development in certain areas
 - Suggestions for mixed-use developments with residential units above shops
- 5. Concerns about area coverage
 - Disagreements about which areas should be included or excluded from the town centre designation
 - Suggestions to include or exclude specific areas like the train station, bus stops, and harbour
- 6. Investment and engagement
 - Calls for investment in the town centre area
 - Need for better engagement with property owners and businesses
 - Concerns about high business rates
- 7. Specific improvement suggestions
 - Ideas for improving the Strand area, underpass, and signage
 - Prioritising town centre improvements over seafront development

Statutory organisations summary

None

Exmouth:

- Suggestion to exclude train/bus stations area (Comment 4)
- Suggestion to exclude Exeter Road from town centre designation, recommending it for residential development instead (Comment 5)

Honiton Town Centre

The responses to the question about the proposed Honiton Town Centre Area and Primary Shopping Area show a mix of opinions. While some respondents are satisfied with the current layout, others suggest improvements and express concerns about the viability of town centre retail. There's a focus on balancing retail needs with housing demands and addressing broader economic challenges facing town centres.

Key points raised, in order of frequency:

1. Retail concentration and vacant units
 - Preference for keeping retail focused on the High Street
 - Concern about empty units and suggestions for their use
2. Mixed-use development proposals
 - Suggestion for integrating residential accommodation above retail spaces
3. Economic challenges for town centres
 - Need to address competition from online shopping

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- Call for lower business rates and better council engagement with businesses
- 4. Satisfaction with current layout
 - Recognition that the proposal reflects the existing town centre
 - Honiton Town Council's approval of the representation

Statutory organisations summary

None

Honiton:

- Suggestion to exclude New Street from retail area and keep retail focused on High Street (Comment 1)

Ottery St Mary Town Centre

Why do you feel this way and do you have any other comments?

The responses to the question about the proposed Ottery St Mary Town Centre Area and Primary Shopping Area reveal a mix of opinions, with several suggestions for boundary adjustments and concerns about the town centre's future viability. There's a focus on protecting and supporting local

<p>businesses while also considering mixed-use development opportunities.</p> <p>Key points raised, in order of frequency:</p> <ol style="list-style-type: none">1. Boundary adjustment suggestions<ul style="list-style-type: none">○ Proposals to extend or modify the town centre and primary shopping area boundaries○ Specific mentions of including more of Mill Street, Yonder Street, and certain pubs2. Economic challenges and support for local businesses<ul style="list-style-type: none">○ Need for a forward-looking plan to prevent decline○ Calls for lower business rates and better council engagement with businesses○ Preference for supporting small, independent traders3. Mixed-use development proposals<ul style="list-style-type: none">○ Suggestion for integrating residential accommodation above retail spaces4. Preservation of town character<ul style="list-style-type: none">○ Importance of maintaining the town's unique character while supporting development <p>Statutory organisations summary</p> <p>None</p>	
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Ottery St Mary:

- Suggestion to extend boundary along Yonder Street to the Institute
- Suggestion to extend along Mill Street to Winter's Lane
- Suggestion to extend to include all of Mill Street up to the Vets
- Question about the importance of keeping Cornhill and Jehu within the primary area
- Suggestion to include the Lamb and Flag pub in Batts Lane

Seaton Town Centre

The responses to the question about the proposed Seaton Town Centre Area and Primary Shopping Area reveal significant concerns about the town's retail landscape. Many respondents highlight issues with the current layout, particularly the split caused by the Tesco development, and express worries about potential out-of-town developments further impacting the town centre. There's a strong desire for revitalisation and support for local businesses.

Key points raised, in order of frequency:

1. Impact of out-of-town developments

- Concerns about proposed retail units destroying the town centre
- Negative effects of the Tesco development on town centre footfall
- Opposition to further out-of-town retail parks
- 2. Need for town centre revitalisation
 - Calls for reshaping and better defining the town centre retail area
 - Suggestions for introducing a market to help local businesses
 - Desire for more variety in shops
- 3. Split shopping area concerns
 - Recognition of the disjointed nature of Seaton's shopping area
 - Need to address the divide created by the Tesco development
- 4. Mixed-use development proposals
 - Suggestion for integrating residential accommodation above retail spaces
- 5. Boundary adjustment suggestions
 - Proposals to include specific areas like Harbour Road and the old station frontage

Statutory organisations summary

None

Seaton:

- Suggestion to include the land in Harbour Road to help connect the two split shopping areas
- Suggestion to include the Post Office
- Suggestion to include the old station frontage area
- Concern about the split nature of the primary shopping area created by Tesco development

Sidmouth Town Centre

Why do you feel this way and do you have any other comments?

The responses to the question about the proposed Sidmouth Town Centre Area and Primary Shopping Area show a mix of satisfaction and concerns. While some respondents are content with the current layout, others suggest improvements and express worries about the challenges facing town centres in general. There's also a focus on the need for better integration of the seafront area and support for local businesses.

Key points raised, in order of frequency:

1. Satisfaction with current layout

<ul style="list-style-type: none"> ○ Recognition that the proposal reflects current usage ○ Some respondents feel Sidmouth is fine as it is 2. Concerns about out-of-town developments <ul style="list-style-type: none"> ○ Warning against building units for national chains outside the town centre 3. Need for improvements and maintenance <ul style="list-style-type: none"> ○ Suggestions for improving building frontages in certain areas 4. Mixed-use development proposals <ul style="list-style-type: none"> ○ Suggestion for integrating residential accommodation above retail spaces <p>Statutory organisations summary</p> <p>None</p> <p>Sidmouth:</p> <ul style="list-style-type: none"> • Suggestion to extend the boundary to include the seafront and businesses along there (Comment 6) 	
Sustainability Appraisal	
See Sustainability Appraisal table below.	

Habitat Regulations Assessment	
Key issues raised in consultation: <ul style="list-style-type: none"> No specific concerns raised. 	Officer commentary in response: <ul style="list-style-type: none"> No comments raised
Commentary on policy redrafting for the Publication Plan	
Redrafted policy title: <ul style="list-style-type: none"> Policy SE 07 – Town Centre Development 	
This policy was generally supported. Most negative comments from respondents related to matters beyond the scope of the policy, for example objecting to changes of use within town centres that are supported by the NPPF or allowed as PD. Policy has been amended to support the incorporation of cycle provision and enhancement of the natural environment where possible. Policy boundaries will be shown on the Policies Map and have not been amended as a result of the Supplementary Regulation 18 Plan consultation.	

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Strategic Policy 58 – Local Shops and Services	
This policy encourages and supports the provision of new local shops and services, recognising the benefit to local communities. They will be restricted to a scale that will not undermine the provision in nearby centres. Policy also resists the loss of local shops and services requiring evidence that they are no longer viable before permitting a change of use or redevelopment.	
Key technical evidence sources	
Issues and options consultation	
This Policy was not subject to consultation.	Officer commentary in response: <ul style="list-style-type: none"> None
Draft Plan Consultation	

<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • Local shops and services overly restrictive eg no craft shop allowed • Fully support, communities would be damaged by village shops closing • Lack of footfall is not the main issue, viability and high running costs are leading pubs/PO's to close • Local facilities reduce the need to travel, especially important in rural areas with limited public transport • The policy is fine, but our planning team do not require evidence of lack of viability to be supplied, and certainly do not question that evidence. As is so often the case, it is not the policy but its application that is the problem 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • Policy has not been amended in light of the responses. • It is, however, proposed to rewrite it for brevity and clarity.
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation: This Policy was not subject to this consultation</p>	<p>Officer commentary in response: None</p>
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below.</p>	
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • No specific concerns raised. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • No comments raised
<p>Commentary on policy redrafting for the Publication Plan</p>	
<p>Redrafted policy title:</p> <ul style="list-style-type: none"> • Policy SE 08 – Local shops and services 	

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Policy has been redrafted to improve the brevity and clarity. The content has not substantively changed. The maximum floorspace figure is now explained in the policy rather than relying on a footnote.

Strategic Policy 59 – Rural Shops

In accordance with the NPPF, this policy promotes retail development in rural areas where products are sourced or manufactured locally as this will allow diversification in agricultural businesses and promote local food production, supporting the rural economy. The criteria set out in the policy restricts the scale of development and origin of goods to be sold to reflect the countryside location and ensure that the vitality and viability of town centres in the District is not undermined in line with the Local Plan strategy.

Key technical evidence sources

Council’s Economic Development Strategy [Economic Development Strategy](#), the Economic Review [Local Economic Review](#), the Employment Land Review [Employment Land Review](#)

Issues and options consultation

See General Issues above.

Draft Plan Consultation

Key issues raised in consultation:

- Local shops and services is overly restrictive (e.g. wouldn’t permit a craft shop)
- Seems unlikely that the 30 mile radius policy would ever be enforced!
- Support this policy. Farm shops are good, but we need to develop town and village centres too.

Officer commentary in response:

- Relatively few comments were made on this policy.
- Most respondents supported rural shops in principle but expressed concern as to how the requirements will be monitored and enforced.
- Evidence suggests that some ‘farm shops’ are selling a majority of imported products sourced nationally and internationally despite similar products being available from businesses within East Devon. This particularly applies to food and drink products.

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<ul style="list-style-type: none"> • Need more sustainable retail including farm shops and shops that sell locally made items. Too much stuff is bought from overseas making this unsustainable. • ED has a vast array of creators and agricultural farms that we must work together with. Darts farm and greendales are good examples. • Increase farmers markets • The policy used to be for a 60% requirement and this should be retained. • Requirements have not been enforced. The large number of rural shops (especially selling non-local goods) collectively undermine existing town centres, where rates are paid, overheads are much greater and car parking charges are extortionate. 	<ul style="list-style-type: none"> • Advice from the Economic Development Team at the Council is that the 30 mile radius for products to be sourced from is too wide and, at the periphery of the District, takes in a considerable area outside East Devon. This would disperse the economic benefits that local food and drink production can bring, particularly in the rural areas where 'farm shops' are most prevalent.
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation: This policy was not subject to consultation</p>	<p>Officer commentary in response: None</p>
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below.</p>	
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • No specific concerns raised. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • No comments raised
<p>Commentary on policy redrafting for the Publication Plan</p>	
<p>Redrafted policy title:</p> <ul style="list-style-type: none"> • Policy SE 09 – Rural Shops 	

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Policy has been rewritten for clarity and, more substantially, the radius for the majority of products not produced on the premises or holding to be sourced from, has reduced to 10 miles. This change was made in consultation with the Council’s Economic Development Team who advise that this radius will maximise opportunities for local businesses to publicise and sell their products to a local market, minimising food/product miles and maximising economic benefits to the local community.

Strategic Policy 60 – Sustainable Tourism

Tourism is a key part of East Devon’s economy and it is important that visitors continue to be drawn by the high quality environment and offered good quality accommodation and services to meet their needs and encourage longer stays. Policy aims to secure a high quality, sustainable tourism experience for the wide range of visitors to East Devon, and ensure that proposals benefit local communities and businesses, whilst conserving, enhancing and promoting the natural beauty, wildlife and cultural heritage of the District.

Key technical evidence sources

Tourism Strategy [Tourism Strategy](#)

Issues and options consultation

See General Issues above.

Draft Plan Consultation

Key issues raised in consultation:

- Devon County Council query how the loss of visitor accommodation policy will be applied to premises only recently begun to be used as visitor accommodation (e.g., Airbnb).
- Definitions are absent. Net Zero - does this mean on site or as part of the total visitor journey? (Exeter and Honiton are probably the most sustainable parts of EDDC but probably

Officer commentary in response:

- It is agreed that the policy would benefit from further clarification. It is not the intention of policy to prevent the development of hotels or prevent the provision of any new facilities or attractions, instead it is intended that they be located in more sustainable locations where reliance on the private car is reduced and environmental impact is minimised.
- The Policy has been rewritten in light of the responses received.

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not what is meant by this policy). Improvements in public transport to access some areas would be required. How would it be achieved?

- Sidmouth TC - We welcome the proposed measures in the draft Local Plan relating to the change of use from hotels and guest houses. However, the serviced holiday accommodation sector is so important to the economy of Sidmouth that we would like to see these provisions strengthened so that change of use becomes a very last resort.
- Coast Meets Country Project - Response to Local Plan Consultation sets out a number of initiatives that the group are pursuing/supporting. It has not been possible to summarise this response here and so the representation should be read in full.
- If the sustainable tourism policy was applied 100%. then there would be no new tourist facilities.
- Support diversification of farms by providing tourist accommodation.
- Support protection of the AONB's by restricting further tourism development.
- Caravan sites such as Devon Cliffs are not sustainable due to their sheer volume and the increase stress on our local sewage works, infrastructure and Jurassic coastline.
- Discouraging hotels will increase second homes, Air BnB's etc to the detriment of local communities. Local communities will be 'hollowed out'
- The strangulation of the hotel industry across the district is very bad news for the wider economy and jobs, and has certainly undermined our town centres.

- It is now split into sections so that it is clear which criteria and requirements apply to each development type. Development in the countryside will be subject to more restrictive requirements given the potential for environmental harm and need to minimise reliance on private transport in more rural areas.
- Loss of existing tourist accommodation and loss of dwellings to short term holiday lets are dealt with in clear sections.

- The normal traffic access and visibility issues are dealt with adequately by normal planning policy and a specifically anti-car provision is not required in the Local Plan.
- Support retention of holiday accommodation, and especially hotels, but enforcement is needed to resist their loss. DM team need to apply the policy.
- Policy does not explain the anti-car and anti-hotel stance. Anti-car would seem to exclude towing caravans or anyone wishing to holiday in the more rural parts of the District...
- The Tourism Strategy is long on hyperbole and well-meaning policy statements, but has no practical proposals to improve the tourism offer.
- Caravans and campsites are encouraged (despite unsightly toilet blocks, shops etc) but not quality hotel accommodation.
- Disappointing that there is no appetite for encouraging cycling and walking by the signing of suitable routes. Need to capitalise on South west coast path.
- The East Devon AONB team welcome the inclusion of advice about the sensitive nature and importance of the AONB with restrictions on the erection of new buildings.
- Otter Valley Association are concerned that increasing year round tourism could harm the outstanding natural environment which draws tourists
- Sidmouth Arboretum suggest that the policy would be stronger if there was a specific mention of the mature trees and hedgerows that typify the surrounding natural environment of most of rural East Devon.
- Agents for Bourne Leisure advise that they endorses draft Policy 60 in principle, and welcomes the Council's strategic vision for tourism, "that East Devon be the leading, year-

<p>round tourism destination in Devon”. The tourism sector is a significant economic driver for the area, and it is crucial that the Plan is supportive of investment and growth of the industry, with a positive approach to sustainable tourism development during the plan period.</p>	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation: This policy was not subject of that consultation</p>	<p>Officer commentary in response: None</p>
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below.</p>	
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • No specific concerns raised. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • No comments raised other than to note that assessment work advises <i>“There could be risks associated with tourism growth e.g. with respect to water quality or recreation. Policy however sets no quantum of growth or specific locations.”</i>
<p>Commentary on policy redrafting for the Publication Plan</p>	
<p>Redrafted policy title:</p> <ul style="list-style-type: none"> • Policy SE 10 – Sustainable Tourism 	
<p>The Policy has been redrafted to simplify it and add clarity. An additional section has been added to resist the loss of dwellings to long term holiday lets.</p>	

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Strategic Policy 61 – Holiday Accommodation Parks in Designated Landscapes	
<p>This policy specifically concerns holiday accommodation parks, comprising static caravans, chalets and/or lodges and associated facilities, which are located within the designated landscapes of the District. Holiday accommodation parks are a key feature within the tourism sector and their improvement will have a positive effect on the economy of East Devon. This should not, however, be to the detriment of the natural environment or local communities and so a policy is required to establish how applications will be determined. This is particularly important given the large scale, range of facilities, lengthy operational hours and prominent coastal locations of many existing parks and their detrimental impact on both the seascape and the landscape.</p>	
Key technical evidence sources	
<p>The Tourism Strategy Tourism Strategy</p>	
Issues and options consultation	
<p>See general Issues above.</p>	
Draft Plan Consultation	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • Strongly support policy of not allowing new or expanded large holiday parks in sensitive coastal landscapes. • Improvements to existing sites should be achieved through use of darker shade units and landscaping and increased tent provision as this is more affordable and lower impact on the landscape. • The existing policy has not worked as existing large sites have continued to expand. • Caravan parks have become too large causing visual harm in some cases. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • The support for this policy is welcomed and noted. • Given that these holiday accommodation parks already exist, it is considered that policy should be amended to achieve a balance between the business need to continue to upgrade and improve the offer to tourists and the need to protect the designated landscapes in which they are located. To this end policy will continue to resist expansion or intensification but should be amended to enable accommodation on existing pitches to be upgraded and improved provided this will not result in an increase in size and height and will result in an environmental benefit.

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<ul style="list-style-type: none"> Existing sites have badly impacted the World Heritage Site and AONB, they should not be allowed to increase further. Why caravan parks allowed and hotels are precluded. The East Devon AONB team support the advice and justification relating to designated landscapes Devon Wildlife Trust advise that they would like to see the policy reworded to include for the requirement to deliver a minimum 25% biodiversity net gain to account for the impacts on these sensitive landscapes. Agents for Bourne Leisure object to policy they consider it unduly onerous and unreasonably restrictive for existing holiday parks, particularly, as the supporting text states, considering that “the majority of East Devon lies within one or more designated landscapes”. They consider the needs of the tourism sector and demands of tourists are continually changing, and it is important to cater for and adapt to these needs and demands in order to continue to attract visitors, increase the level of expenditure and support local jobs. Continual investment in holiday park accommodation and facilities is therefore required to attract new and repeat visitors and policy is far too restrictive. 	
Supplementary Regulation 18 consultation Spring 2024	
Key issues raised in consultation: This was not subject to consultation	Officer commentary in response: <ul style="list-style-type: none"> None
Sustainability Appraisal	
See Sustainability Appraisal table below.	

Habitat Regulations Assessment	
Key issues raised in consultation: <ul style="list-style-type: none"> No specific concerns raised. 	Officer commentary in response: <ul style="list-style-type: none"> No comments raised other than to note that assessment work advises <i>“There could be risks associated with tourism growth e.g. with respect to water quality or recreation. Policy however sets no quantum of growth or specific locations.”</i>
Commentary on policy redrafting for the Publication Plan	
Redrafted policy title: <ul style="list-style-type: none"> Strategic Policy SE 11 – Holiday Accommodation Parks in designated landscapes. 	
The policy has been slightly amended to permit upgraded accommodation of a similar size and height to replace existing permanent accommodation where it will result in an environmental benefit. This ensures that businesses can improve their tourist offer in designated landscapes without increasing their site area or the impact of development	

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Policy omissions from Chapter 9	
This section seeks to identify any policy areas that have been omitted from this chapter.	
Key technical evidence sources	
The key evidence which has informed this Chapter is the Economic Development Needs Assessment Economic Development Needs Assessment (January 2023) which establishes the need for different types of employment land up to 2040, identifies some broad locations and assesses the level of supply at the tie of the study.	

<p>Other evidence of note is the Council’s Economic Development Strategy Economic Development Strategy, the Economic Review Local Economic Review, the Employment Land Review Employment Land Review, the Tourism Strategy Tourism Strategy and the Clean Growth Vision Clean Growth Vision</p>	
<p>Issues and options consultation</p>	
<p>See General issues above.</p>	
<p>Draft Plan consultation</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • Are the economic development/employment policies intended to apply to agricultural development? The criteria do not seem to be a good fit, but there does not appear to be a separate specific policy for agricultural buildings and other development such as slurry lagoons. It is considered to be a significant omission if there is no policy to deal with such development which can have consideration impacts on the landscape and environment of the rural parts of the district, particularly the AONBs. • No mention of promoting the agricultural/horticultural sector or supporting young people to continue working and living on farms. • Tourism is vital for the area, but we do not want second homes. Sustainable and green tourism is good. Sites like Devon Cliffs are not. • Retail and produce must be sustainable and where possible be locally produced and made. Independent shops and farm shops are a good example. • AONB must be protected. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • Agricultural development would be considered against other policies in the plan, for example those covering countryside development and landscape. The Rural Diversification policy allows farms to expand into other income generating activities in order to support their agricultural activity. • Sustainable tourism and local/farm shops are covered by policies in this chapter. • AONB’s are protected under policies in the landscape chapter. • This Chapter does not seek to identify employment allocations, instead they will be considered through the HELAA process (and both of the sites mentioned here have been considered through that process).

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<ul style="list-style-type: none"> • Hill Pond, adjacent to Hill Barton Business Park should be allocated as an employment site. It is within single ownership, is available for development now and could be delivered quickly; It is an infill/rounding off site. The road to the west and north of the site would mark a clearly defined boundary to the employment development in this location; It is not within any protective designation related to landscape character and any development would be viewed in the context Hill Barton Business Park to the east and Yeo Business Park to the north and, when built out, the employment development immediately to the south; There is an existing access to the site via Axehayes Lane, which has direct access to and from the A3052. There is potential to form a pedestrian connection to the footway network within Hill Barton Business Park • Support is given for allocating Land to the East of Liverton Business Park (Exmo 18). This is proposed for three hectares of employment use. This allocation will help the Estate to continue to deliver new jobs through its existing development of the Estate’s adjacent Business Park. Notwithstanding our concerns, set out above, about the lack of settled evidence on the overall form of employment need, the location of Exmo 18 alongside existing and successful employment uses and its site adjacent to the most important town in the District strongly suggests that development of this land for employment can make an important contribution to the District’s economy. 	
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Supplementary Regulation 18 consultation Spring 2024	
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<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • None 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> •
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Sustainability Appraisal	
See Sustainability Appraisal table below.	
Habitat Regulations Assessment	
Key issues raised in consultation: <ul style="list-style-type: none"> No specific concerns raised. 	Officer commentary in response: <ul style="list-style-type: none"> No comments raised
Commentary on policy redrafting for the Publication Plan	
Insert succinct summary commentary here on how, taking all of the above into account, this policy has been redrafted and why etc.	

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Sustainability Appraisal	
Policy number/title: <ul style="list-style-type: none"> 51. Policy – Employment development within existing settlement boundaries 52. Policy – Employment development in the countryside 53. Policy – Farm diversification 54. Policy – Resisting the loss of Employment sites 55. Policy – Employment and skills statements 56. Policy – Town centre hierarchy, sequential approach and impact assessment 57. Policy – Town centre development 58. Policy – Local shops and services 59. Policy – Rural shops 60. Policy – Sustainable tourism 61. Policy – Holiday accommodation parks in designated landscapes 	
Outcome of sustainability appraisal:	Officer commentary in response:

Preferred alternative: Policies 51 - 61

Reasons for alternatives being preferred or rejected:

- The preferred policies 51 – 61 are likely to have major positive effects by fostering a strong and entrepreneurial economy, increase access to high quality skills training, improve job opportunities and greater productivity. Policies will support the vitality and viability of town centres, will ensure good access to services and facilities, and good connectivity. The few negative effects can be effectively mitigated.
- 51A. Allow other job generating uses on existing employment sites (other than use E(g), B2 or B8) – this would provide more choice and flexibility for other employment uses, but reduce the availability of land and premises for uses E(g), B2 or B8. In addition, it could increase site values and rentals from higher value uses such as retail, making it more difficult for traditional and transformational business uses to find suitable sites for start-up or expansion. For these reasons, the positive effects are lower than the preferred policy, and this alternative is rejected.
- 53A. Restrict farm diversification to more limited uses and smaller scale development – this will have positive environmental effects by reducing the impact of farm diversification on the natural environment. However, it will reduce the economic viability of farm holdings and reduce the number of jobs in rural areas. The likely adverse impacts on the local economy and rural prosperity mean this alternative is rejected.
- 54A. Taking a less restrictive approach by allowing employment sites to be available for other uses – this would result in a

- The policy approach is supported as having major positive effects and encouraging development in locations which will promote settlement self containment whilst reducing the need to travel and minimising impacts on features of acknowledged importance such as heritage, ecology and landscape.

positive effects on housing as it would increase the level of housing supply, but will have negative effects associated with the loss of employment sites, and is therefore rejected.

- 55A. Do not include a policy requiring employment and skills statements – this is rejected as it would provide less opportunity to access high quality skills training, limiting the positive effects on objective 11.
- 58A. Do not include a policy that resists the loss of local shops and services – this would rely on national policy to avoid the unnecessary loss of facilities, but the lack of a Local Plan policy would mean greater uncertainty and more potential for facilities to be lost to higher value uses. Therefore, the negative effects on objective 10 mean this alternative is rejected.
- 59A. Do not include a policy that addresses rural shops – without such a policy, shops in rural areas could sell a range of goods that could compete with, and affect the vitality and viability of, local centres, leading to negative effects on objective 12. It would also mean less support for local food and goods, with consequent increase in carbon emissions from travel as produce is sourced from further away. Therefore, this alternative is rejected.
- 60A. Do not include a policy to address sustainable tourism – this was rejected as it would likely mean less economic benefits (objective 11) through the lack of supporting policy for sustainable tourism, and potential for negative environmental effects through a lack of clarity on the balance between protecting the natural environment and encouraging visitors.
- 61A. Include a less restrictive criteria-based policy which permits extensions to existing holiday parks and establishment of new

<p>parks – the high landscape quality of East Devon means that permanent structures associated with new or extended holiday parks are likely to cause considerable harm, given the scale and range of facilities associated with such parks. Although this alternative could have positive economic benefits (objective 11), the major negative landscape effects (objective 2) mean that it is rejected.</p>	
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10 Conclusions

10.1 This paper provides an assessment of policy matters that have informed redrafting of chapter 9 of the local plan in respect of policies relating to economic considerations. At this stage of plan making, recommendations on a first redraft of plan policy for Strategic Planning Committee for October 2024 meetings, no significant or substantive policy changes are recommended.

10.2 The redrafted policies have, however, been generally tightened-up to provide greater clarity in respect of appropriate locations for new developments.

10.3 Chapter 9 of the plan (as maybe renumbered if other plan changes occur) will be subject to refinement through the committee process, and any possible subsequent redrafting, and will be considered again at Committee later this year.

Chapter 15 - Our outstanding historic environment

A heritage asset is defined by central government in the NPPF as:

“A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).”

East Devon is fortunate in having a rich heritage and distinctive vernacular architecture which makes it a unique place to live in and visit. Heritage assets include statutorily designated Scheduled Monuments, Listed Buildings or structures, Conservation Areas, Registered Parks and Gardens, Registered Battlefields, archaeology of national and local interest and non-designated buildings, structures or historic landscapes that contribute to local historic and architectural interest of the district's historic environment, and also includes those heritage assets listed in the Devon Historic Environmental Record. East Devon's historic environment isn't just limited to man-made buildings, monuments, standing stones and archaeological sites, but includes cultural heritage, landscapes and wildlife habitats resulting from a long history of human interaction with nature.

National policy emphasises the importance of heritage assets for their contribution to quality of life, and as an irreplaceable resource which should be conserved in a manner appropriate to their significance. Local planning authorities are required to set out in their plans, “a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats” and to make information on the historic environment, gathered as a part of policy-making or development management, publicly accessible. Policy implementation will be informed by the East Devon Heritage Strategy, which presents a summary of the District's heritage, its significance and its benefits whilst developing objectives for the future, with an action plan for the delivery of recommendations. The strategy runs from 2024 – 2042 and will be updated during the life of the local plan. The strategy focuses on the heritage assets of the district where the Council has a direct role and responsibility, or influence, in the decision making or management process. However broader designations that inform the strategy are also considered, such as the National Landscapes, which have a positive influence on the enhancement and management of the district's heritage.

Non-designated heritage assets may be identified by a local planning authority as having a local heritage value that should be taken into account when considering any planning application that affects either the asset or its setting. National policy further advises that heritage assets should be conserved in a manner appropriate to their significance. In weighing an application that may affect a non-designated asset, a balanced judgement is required regarding the scale of any harm or loss and the significance of the asset.

**102. Strategic Policy HE01:
Historic Environment**

Proposals for new development that may affect heritage assets should take account of the desirability of sustaining and enhancing the significance of those assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

Particular encouragement will be given to schemes that will help secure the long term conservation of at-risk, vacant and/or under-used buildings and bring them back into appropriate use.

Non-designated heritage assets, where identified through local or neighbourhood plan-making, the Local List, Conservation Area Appraisal or review or through the planning application process, will be recognised as heritage assets in accordance with national guidance and any local criteria.

Development proposals that directly or indirectly affect the significance of a non-designated heritage asset will be determined with regard to the scale of any harm or loss and the significance of the asset.

Applicants will be required to describe, in line with best practice and relevant national guidance, the significance of any heritage assets affected including any contribution made by their setting. The level of detail should be proportionate to the asset's importance. In some circumstances a planning condition will require further survey, analysis and/or recording.

Alterations to historic buildings, for example to improve energy efficiency or reduce carbon emissions, should respect the integrity of the historic environment and the character and significance of the building.

Justification for inclusion of policy

Heritage assets may be classified as either 'designated' or 'non-designated' and the importance of both can be taken into account through the planning process. Heritage assets can include Listed Buildings, Scheduled Monuments, Conservation Areas, Registered Parks and Gardens, archaeological sites and other assets. The majority of heritage assets in East Devon, whether buildings, archaeological sites or areas of historic landscape character, do not have a statutory designation and so their conservation relies on the planning system and positive management by land and property owners.

In preparing development proposals, applicants should refer at an early stage to sources of information on the historic environment such as The Devon Historic Environment Record, The National Heritage List for England, any local Heritage Impact Assessments, and, where relevant, Conservation Area Character Appraisals to ensure that proposals are based on an understanding of the significance of any heritage assets that may be affected. Development proposals should also accord with the Heritage Strategy, take into account the principles set out in any Supplementary Planning Documents and other relevant guidance.

In some circumstances, further surveys and analysis may be required prior to any application being determined. Heritage Statements, Statements of Significance, and Impact Assessments should be produced in line with current best practice and relevant national guidance. Such assessments should follow a systematic approach in line with Historic England guidance: The Setting of Heritage Assets:

Historic Environment Good Practice Advice in Planning Note 3, 2nd Edition (2017), and Statements of Heritage Significance: Historic England Advice Note 12 (2019), or as per any updates to these documents.

The Council will monitor buildings or other heritage assets at risk through neglect, decay or other threats, proactively seeking solutions for assets at risk through discussions with owners and willingness to consider positively development schemes that would ensure the repair and maintenance of the asset, and, as a last resort, using its statutory powers. The Council will work with relevant stakeholders to encourage better understanding of the heritage assets on the Historic England “Heritage at Risk” Register. Where appropriate the Council will encourage Heritage Partnership Agreements, particularly for Listed Buildings on any ‘at risk’ register.

The Council will support Neighbourhood Development Plans in seeking to assess their heritage assets and add to the evidence base.

103. Strategic Policy HE02:

Listed buildings

Proposals for development, including change of use, that involve any alteration of, addition to or partial demolition of, a listed building or within the curtilage of, or affecting the setting of a listed building will be expected to:

1. conserve, enhance or better reveal those elements which contribute to the heritage significance and/or its setting; and
2. respect any features of special architectural or historic interest, including, where relevant, the historic curtilage or context, such as burgage plots, or its value within a group and/or its setting, such as the importance of a street frontage or traditional shopfronts; and
3. be sympathetic to the listed building and its setting in terms of its siting, size, scale, height, alignment, materials, building methods and finishes (including colour and texture), design and form, in order to retain the special interest that justifies its designation

Development proposals affecting the significance of a listed building or its setting that will lead to substantial harm or total loss of significance will be refused unless, exceptionally, it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that demonstrably outweigh that harm or loss or where the applicant can demonstrate that:

1. the nature of the heritage asset prevents all reasonable uses of the site; and
2. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
3. conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
4. the harm or loss is outweighed by the benefit of bringing the site back into use.

Development proposals (including changes of use) that would result in less than substantial harm to the significance of a listed building or its setting will be expected to:

1. minimise harm and avoid adverse impacts, and provide justification for any adverse impacts, harm or loss of significance;
2. identify any demonstrable public benefits or exceptional circumstances in relation to the development proposed; and
3. investigate and record changes or loss of fabric, features, objects or remains, both known and unknown, in a manner proportionate to the importance of the change or loss, and to make this information publicly accessible.

Justification for inclusion of policy

Within East Devon around 4,600 buildings and structures are “listed” (included on a register known as the List of Buildings of Special Architectural or Historic Interest) due to their special architectural or historic interest at a national level. When a building or structure is listed, it is listed in its entirety, which means that both the exterior and the interior are protected which includes interior features and fabric such as staircases, panelling, roof structures, floors, walls, fireplaces, doors etc. In addition, any object or structure fixed to the building, and any object or structure within the curtilage of the building, which although not fixed to the building, forms part of the land and has done so since before 1 July 1948, are treated as being part of the listed building. Occasionally land will form part of the setting of a heritage asset despite lying some distance away, for example where there is a historical or functional association.

Many listed buildings, due to their age and construction, have features which could support roosting bats. To ensure compliance with relevant legislation, species survey information will be required, and ecological conditions applied to consents granted, in instances where proposed works to listed buildings would be reasonably likely to impact roosting bats.

104. Strategic Policy HE03:

Conservation Areas

Proposals for development within or affecting the setting of a Conservation Area must conserve or enhance its special interest, character, setting and appearance. Development will be expected to:

1. contribute to the Conservation Area’s special interest and its relationship within its setting. The special characteristics of the Conservation Area (such as existing walls, buildings, trees, hedges, burgage plots, traditional shopfronts and signs, farm groups, medieval townscapes, archaeological features, historic routes etc.) should be preserved;
2. take into account important views within, into or out of the Conservation Area and show that these would be retained and unharmed;
3. respect the local character and distinctiveness of the Conservation Area in terms of the development’s: siting; size; scale; height; alignment; materials and finishes (including colour and texture); proportions; design; and form and should have regard to any relevant Conservation Area Character Appraisal;

4. be sympathetic to the original curtilage of buildings and pattern of development that forms part of the historic interest of the Conservation Area;
5. be sympathetic to important spaces such as paddocks, greens, gardens and other gaps or spaces between buildings which make a positive contribution to the pattern of development in the Conservation Area;
6. ensure the wider social and environmental effects generated by the development are compatible with the existing character and appearance of the Conservation Area; and/or
7. ensure no loss of, or harm to any building or feature that makes a positive contribution to the special interest, character or appearance of the Conservation Area.

Where a proposed development will lead to substantial harm to or total loss of significance of a Conservation Area, consent will only be granted where it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm or loss.

Where a development proposal will lead to less than substantial harm to the significance of a Conservation Area, this harm will be weighed against the public benefits of the proposal.

Wherever possible the sympathetic restoration and re-use of structures which make a positive contribution to the special interest, character or appearance of the Conservation Area will be encouraged to prevent harm through the cumulative loss of features which are an asset to the Conservation Area.

Justification for inclusion of policy

There are 33 Conservation Areas in East Devon, covering parts of all the main towns (except Cranbrook) and the historic cores of many smaller settlements. Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 describes Conservation Areas as “areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”. Inevitably, these areas will vary greatly. Attractive groups of buildings, open spaces, trees and hedgerows, an historic settlement pattern, or features of archaeological interest, may all contribute to the special character of an area, and it is that character, rather than individual buildings, which Conservation Area legislation seeks to preserve and enhance. This does not mean that they cannot develop; change is often necessary to accommodate the demands of modern living as our historic towns and village centres are always likely to attract new development. Any development would, however need to preserve or enhance the character of the area and may require planning permission and/or planning permission for demolition in a conservation area.

A feature in some town centres are ‘burgage plots’. Surviving patterns of burgage plots have considerable historic and archaeological significance and contribute much to the character of the market towns, Honiton in particular.

When undertaking Conservation Area Appraisals the opportunity will be taken to produce and update lists of locally important non-designated heritage assets and identification of any heritage assets ‘at risk’ in order to encourage better understanding.

**105. Strategic Policy HE04:
Archaeology and Scheduled Monuments**

Development must protect the site and setting of Scheduled Monuments, or nationally important designated or undesignated archaeological remains, including ancient routeways and milestones.

Applicants will be expected to undertake an assessment of appropriate detail to determine whether the development site is likely to contain archaeological remains. Proposals must show how the development proposals have had regard to any such remains.

Where the assessment indicates archaeological remains on site, and development could disturb or adversely affect archaeological remains and/or their setting, applicants will be expected to:

1. submit an appropriate archaeological desk-based assessment; and/or
2. undertake a field evaluation (conducted by a suitably qualified archaeological organisation), where necessary.

Nationally important archaeological remains (whether scheduled or demonstrably of equivalent significance) should be preserved in situ. Non-designated archaeological sites or deposits of significance equal to that of a nationally important monument will be assessed as though those sites or deposits are designated.

Where a proposed development will lead to substantial harm to or total loss of significance of such remains consent will only be permitted where it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

Where a development proposal will lead to less than substantial harm to the significance of such remains, this harm will be weighed against the public benefits of the proposal.

For other non-designated archaeological remains, the effect of a development proposal on the significance of the remains, either directly or indirectly, will be taken into account in determining the application.

In exceptional cases, where harm to or loss of significance to the asset is considered to be justified, the harm should be minimised, and mitigated by a programme of archaeological investigation, including excavation, recording and analysis. Planning permission may be granted conditional upon a programme of archaeological mitigation agreed with the Council that will be implemented by an appropriately qualified organisation. Unless otherwise agreed with the Council any development should not commence until the approved archaeological works have been satisfactorily completed. The results of the analysis of findings subsequent to the investigation should be published and made available to the relevant local and county authorities as well as being made publicly accessible.

Justification for inclusion of policy

East Devon has a significant archaeological heritage which is a finite and non-renewable resource with great social, economic, cultural and educational value. Around 200 archaeological sites and monuments are designated as Scheduled Monuments and are legally protected under the terms of the Ancient Monuments and Archaeological Areas Act.

The Devon Historic Environment Record, maintained by the County Council, also includes numerous other sites of local interest but, due to their size, form and the large numbers added to the record

annually, it is not practical for the Policies Map to identify them. The record is available for applicants to view.

A network of historic routes also exist as archaeological features in the district, ranging from pre-historic tracks, Roman roads, sunken lanes to later turnpike roads. These routes are integrated into the district's landscape and serve an important function in linking settlements and forming a unique setting for the district's distinctive landscape features and will therefore be protected.

106. Strategic Policy HE05:

Historic Landscapes, Parks and Gardens

Proposals should conserve or enhance the special historic interest, character or setting of a park or garden on the Historic England Register of Historic Parks and Gardens of Special Historic Interest in England.

Any harm to or loss of significance of any heritage asset requires clear and convincing justification. Substantial harm to or loss of these assets should be wholly exceptional in the case of Grade I and Grade II* Registered Historic Parks and Gardens and exceptional in the case of Grade II Registered Historic Parks and Gardens.

Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, consent will only be granted where it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. All other options for their conservation or use must have been explored.

A balanced judgment, having regard to the scale of any harm or loss and the significance of the heritage asset, will be required in assessing proposals affecting non-designated historic parks and historic landscapes (including historic routes and battlefields).

Applicants will be required to describe, in line with best practice and relevant

national guidance, the significance of any heritage assets affected including any contribution made by their setting. The level of detail should be proportionate to the asset's importance. In some circumstances planning conditions will require further survey, analysis and recording.

Justification for inclusion of policy

Historic landscapes, parks and gardens are an important part of East Devon's heritage and environment. They comprise a variety of features including the open space itself, views in and out, archaeological remains and, in the case of parks or gardens, a conscious design incorporating planting and water features, and frequently buildings. Historic landscapes are also important for their green infrastructure and biodiversity value. There is a need to protect such sites and their settings and to encourage sympathetic management wherever possible.

The most important sites have been included on the "Historic England Register of Historic Parks and Gardens of Special Historic Interest in England" and/or on the National Heritage List for England. In addition to the nationally important registered sites the district has several other sites of regional or local importance that should also be protected from harm, and enhanced where possible.

East Devon Local Plan – Topic Paper

Chapter 15. Our Outstanding Historic Environment

October 2024 – Version 01



Contact details

Planning Policy Team
East Devon District Council
Blackdown House, Border Road
Heathpark Industrial Estate
Honiton
EX14 1EJ

Phone: 01395 516551

Email: planningpolicy@eastdevon.gov.uk

<http://eastdevon.gov.uk/planning/planning-policy/>

To request this information in an alternative format or language please phone 01395 516551 or email csc@eastdevon.gov.uk

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1 Introduction

- 1.1 This topic paper sits behind and help explain the content of and evolution of the Publication draft of the East Devon Local Plan.
- 1.2 There may be new versions of this topic paper as plan making progresses to Publication and thereafter into and through plan Examination.
- 1.3 This topic specifically addresses Chapter 15 of the plan – our outstanding historic environment.

2 The Publication draft of the Local Plan

- 2.1 At the date that we published this draft topic paper we are moving towards production of the Publication draft of the local plan. There are specific Government regulations¹ that apply to local plan making and these set out actions that need to be undertaken at different regulatory stages (this report specifically relates to Regulations 18, 19 and 20).
- 2.2 The proposed Publication draft text of the local plan will be an edited and amended draft of the consultation draft plan published in November 2022². The draft plan was consulted on under plan making Regulation 18 and it should be noted that further limited additional consultation under this regulation took place in the late Spring of 2024.
- 2.3 The Publication plan, under Regulations 19 and 20, will be made available for any interested party to make representations on. The period for making such representations is currently planned to be from December 2024 to January 2025. The Publication plan, representations received and other relevant paperwork will be submitted for Examination, to a target date of May 2025. One or more Planning Inspectors will undertake the plan examination.
- 2.4 The first drafts of what is proposed to become the Publication plan will be considered by the Strategic Planning Committee of East Devon District Council through 2024. The expectation is that text will then be refined as the year progresses with a view to the Committee being asked to approve the final Publication plan in November 2024.

¹ [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

² [commonplace-reg-18-final-071122.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/commonplace-reg-18-final-071122.pdf)

3 Summary of proposed redrafting- Chapter 15 of the consultation plan

- 3.1 This Chapter has not been substantially amended. Some minor wording amendments have been incorporated into policies but they remain substantively as they were in the Draft Plan. There is a need to complete the review and updating of the Heritage Strategy as this will support and provide evidence for this Chapter and implementation of the policies in it.

4 Issues and options consultation

- 4.1 Prior to production and consultation on the draft local plan the Council consulted on a local plan Issues and Options³ report. This included a series of questions that responses and comments were invited on. A feedback report was published⁴.
- 4.2 The consultation asked how important protecting our heritage was considered to be. 78.6% of respondents said that it is either essential or very important to conserve heritage assets. There was a lot of support for conserving heritage assets for their historical, architectural, community and tourist value. However, and often within this support, there were many comments about allowing historic buildings to change with the times, for example by allowing alterations to make them more environmentally sustainable.
- 4.3 Of particular note were the comments of Historic England, as the Government’s advisor for the historic environment. Historic England found much to welcome in the Issues and Options report but raised the following issues:
- The holistic nature of the historic environment and links with other issues, including talking climate change;
 - The importance of all heritage assets, which affects the wording of objective 7 and the approach to historic environment strategy;
 - The need for up-to-date and relevant historic environment evidence to inform allocations and designations (with reference to the NPPF paragraphs 31,35,184 and 185);
 - The need for a heritage topic paper and positive strategy for the historic environment to consider:
 - The current state of East Devon’s historic environment;
 - Key issues in terms of understanding, conserving, enhancing and enjoying East Devon’s historic environment as well as the wider benefits this brings including for local character and distinctiveness;
 - How effective the adopted local plan has performed in relation to these issues,
 - The delivery of a positive strategy for the historic environment (as in NPPF paragraph 185) and against its own objectives for delivering sustainable development in respect of the historic environment; and

³ [issuesandoptionsreport-jan2021.pdf \(eastdevon.gov.uk\)](#)

⁴ [2a. Consultation feedback report Ver 03.pdf \(eastdevon.gov.uk\)](#)

- How the new local plan intends to positively respond to these matters.

5 Draft plan consultation

- 5.1 In the draft plan consultation, heritage matters were addressed in Chapter 15. The feedback report, summarising the comments can be read here (starting on page 463) [accessible-reg-18-consultation-feedback-report-spring-2023.pdf \(eastdevon.gov.uk\)](#).
- 5.2 One general comment raised in feedback, of particular note, of relevance to the historic environment chapter and our approach to policy making, was received from Historic England. This was summarised as:
- 5.3 Historic England welcome this chapter but state that, to accord with the national planning framework (Policy 20 (d)), policies should be presented as Strategic Policy
- Historic England state that the Local Plan should illustrate a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. As well as allocating sites, the Plan should also set out how it will consider and positively respond to the heritage challenges and opportunities faced by East Devon’s historic towns and villages, landscapes and townscapes, and their relative condition (NPPF para 190). We support the production of a Heritage Topic Paper as evidence to accompany and inform the Local Plan’s preparation.
- 5.4 It is advised that the Council are updating the Heritage Strategy and this, along with other detailed site assessment work (with heritage being a specific focus), will inform the Councils understanding of the historic environment. This work is being undertaken with support and advice from Historic England, the County Archaeologist and the Council’s Conservation Officers. The evidence to date and to be produced will be considered to be robust.

6 Further Regulation 18 consultation Spring 2024

- 6.1 At the time of drafting this report further Regulation 18 consultation on selected topic matters was taking place. Heritage and the historic environment policies were not explicitly amongst matters being consulted on. However, should pertinent matters be noted in feedback they will be reported on in any redrafting.

7 Sustainability Appraisal feedback

- 7.1 The draft local plan was supported by a Sustainability Appraisal⁵ (SA). This SA will be updated and refined as plan making progresses and it will be one of the documents that is submitted as

⁵ [sa-of-pos-consultation-draft-lp_2022.pdf \(eastdevon.gov.uk\)](#)

part of the submission for Examination. The SA report of the draft plan was largely supportive of the policy approach being taken forward for the historic environment.

- 7.2 The Policy approach is preferred due to major positive effects on conserving and enhancing heritage assets (objective 3), along with positive effects on the landscape (objective 2). The alternative approach, to not include policies on the conservation and enhancement of the historic environment, would still confer strong protection for designated heritage assets through legislation and national policy but would result in less positive effects on the historic and built environment, with some uncertainty, particularly for non-designated heritage assets.

8 Habitat Regulation Assessment

- 8.1 The local plan will need to be assessed under the Habitat Regulations. An preliminary assessment of policies in the draft plan has been produced – [east-devon-local-plan-hra-110723-2013-doc-from-footprint.pdf](#) ([eastdevon.gov.uk](#))

9 Assessment of policies in chapter 15

- 9.1 Chapter 15 of the draft plan set out a series of policies that are reviewed below.

General issues raised on Chapter 15

This Chapter seeks to protect and enhance the historic environment of East Devon. Policies will apply to designated and non-designated heritage assets and set out the approach that will be taken to ensuring development is appropriate.

No need for additional policies was identified.

Key technical evidence sources

- In addition to the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest, and the Ancient Monuments and Archaeological Areas Act 1979 provides specific protection for scheduled monuments.
- Key evidence sources are the National Heritage List for England ([Search the List - Find listed buildings, monuments, battlefields and more | Historic England](#)), Historic England’s guidance (<https://historicengland.org.uk/advice/>), the Historic Environment Maps and Records held by Devon County Council, the Conservation Area Appraisals, listed building lists, local heritage assets and Conservation Strategy held by EDDC ([East Devon Heritage and Local Heritage Assets - East Devon](#)) and Neighbourhood Plans

Issues and options consultation

- 78.6% of respondents said that it is either essential or very important to conserve heritage assets.
- There was a lot of support for conserving heritage assets for their historical, architectural, community and tourist value. However, and often within this support, there were many comments about allowing historic buildings to change with the times, for example by allowing alterations to make them more environmentally sustainable.
- Of particular note are the comments of Historic England, as the Government’s advisor for the historic environment.

These comments informed the drafting of the Policies in the Draft Plan

Historic England found much to welcome in the Issues and Options report but raised the following issues:

- The holistic nature of the historic environment and links with other issues, including talking climate change;
- The importance of all heritage assets, which affects the wording of objective 7 and the approach to historic environment strategy;
- The need for up-to-date and relevant historic environment evidence to inform allocations and designations (with reference to the NPPF paragraphs 31,35,184 and 185);
- The need for a heritage topic paper and positive strategy for the historic environment to consider:
 - The current state of East Devon’s historic environment;
 - Key issues in terms of understanding, conserving, enhancing and enjoying East Devon’s historic environment as well as the wider benefits this brings including for local character and distinctiveness;
 - How effective the adopted local plan has performed in relation to these issues,
 - The delivery of a positive strategy for the historic environment (as in NPPF paragraph 185) and against its own objectives for delivering sustainable development in respect of the historic environment; and
 - How the new local plan intends to positively respond to these matters.

Draft Plan consultation	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • All the Policies in this section were strongly supported. There were some requests for clarification and for stronger wording/protection of heritage assets. • Historic England welcome this chapter but state that, to accord with the national planning framework (Policy 20 (d)), policies should be presented as Strategic Policy • Historic England state that the Local Plan should illustrate a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. As well as allocating sites, the Plan should also set out how it will consider and positively respond to the heritage challenges and opportunities faced by East Devon’s historic towns and villages, landscapes and townscapes, and their relative condition (NPPF para 190). We support the production of a Heritage Topic Paper as evidence to accompany and inform the Local Plan’s preparation. • Devon County Council (DCC) welcomes the inclusion of heritage as a core theme, in particular its inclusion in several Strategic Policies such as Green Infrastructure, Wind Energy and Tourism. • DCC note that some non-designated heritage assets may be of equal significance as a designated heritage asset and should be considered against such policies (para 15.4). • Reinforcement is needed to assist the existing Conservation Officers work and coverage and much improved monitoring of 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • Policies are now strategic policies. • In addition to the policies of the LP, the Heritage Strategy will address and identify the challenges and opportunities faced by the historic environment in more detail • The Guide to listing of Local Heritage Assets and adopted East Devon Local List are now referenced • The policies may be amended in future drafts to reflect anticipated updated guidance from Historic England re alterations to improve the energy performance of historic buildings • Operational matters and staff resourcing are beyond the scope of the Local Plan

<p>work to historic buildings is needed.</p> <ul style="list-style-type: none"> • It is important that new development proposals in the vicinity of heritage assets are guided to respect their context and show sympathy in design or layout. • Planning departments should apply the policy rigorously, and should be properly resourced to do so, both at the planning stage and in monitoring thereafter. • The Otter Valley Association welcome the policies but would like to see the Guide to listing of Local Heritage Assets and adopted East Devon Local List referenced. • Lyme Regis Town Council support protection of the historic environment but would like a presumption in favour of alterations to improve the energy performance of historic buildings except where there is unacceptable material harm. 	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Heritage policies were not specifically consulted on at this time.</p>	
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below</p>	
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • No concerns identified. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • No comments.
<p>Commentary on policy redrafting for the Publication Plan</p>	

General issues have not warranted additional policy coverage.

It was suggested that a single policy could apply to all heritage matters and this would avoid duplication and simplify consideration of planning applications. Historic England were supportive of this approach in principle and Officers explored this further. On balance, however, it was decided that separate policies for different types of asset would ensure that applicants are clear as to what is expected of them and the considerations that will apply to their type of asset.

Strategic Policy 102 – Historic Environment

Historic England describes how “some parts of the historic environment are important to society as a whole or to a group within it and merit some level of protection or consideration.” The NPPF recognises that these assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

The historic environment policy sets out the Councils overarching approach to appropriate development of these heritage assets which warrant particular protection. In particular it explains how non-designated heritage assets will be identified and how applications for their development will be assessed.

Key technical evidence sources

- In addition to the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest, and the Ancient Monuments and Archaeological Areas Act 1979 provides specific protection for scheduled monuments.
- Key evidence sources are the National Heritage List for England ([Search the List - Find listed buildings, monuments, battlefields and more | Historic England](#)), Historic England’s guidance (<https://historicengland.org.uk/advice/>), the Historic Environment Maps and Records held by Devon County Council, the Conservation Area Appraisals, listed building lists, local heritage assets and Conservation Strategy held by EDDC ([East Devon Heritage and Local Heritage Assets - East Devon](#)) and Neighbourhood Plans

Issues and options consultation

See General issues above.

Draft Plan consultation

Key issues raised in consultation:

- The Policy was generally considered to be comprehensive and the historic environment is considered to be very important.

More specific points included:

- Protection of historic buildings and their environment must have the highest priority in the local plan.
- It is often the small details which contribute to the richness of a locality, and these deserve to be respected.
- Well intentioned policy but unlikely to be effective/Local Plan policies for new development undermine it (Littleham village, area around new town and Whimple specifically mentioned)
- Active uses are the best way to ensure heritage assets are protected and don't fall into disrepair
- Major developments can have a significant impact on heritage assets and their settings.
- Developers and property owners must be held accountable for any destruction of our heritage assets.
- Need for design guide to pick up on use of local materials
- Clear definition is required of a "heritage asset" and that the term could be used, eg, in reference to Exmouth promenade and its heritage as a victorian seaside promenade as well as distinct architectural features.
- Historic information and further surveys are required at an early stage. This needs to have the appropriate enforcement powers and staffing.
- Conservation areas need more protection.
- Should include reference to EDDC adopted Guidance and

Officer commentary in response:

- The policy is considered to be appropriate. It is intended to cover all assets, throughout the District, and so does not refer to specific locations or assets
- In response to internal comments the policy was amended so that it has a stronger emphasis on non-designated heritage assets to ensure these are recognised and protected and to avoid overlap with other policies

<p>the 'local list' which has started to identify local heritage assets - surely an omission.</p> <ul style="list-style-type: none"> • Not all historic buildings should be upgraded as there should be an authentic historic record through the areas buildings. SPAB guidance should be followed, the use of inappropriate materials (eg foam insulation) can destroy fabric of building • Improvements should always consider the potential for disruption to nature and wildlife which could be using these buildings. The natural heritage of East Devon should be considered to be part of the cultural heritage of the area. (eg the NHLF Greater Horseshoe Bat project). • Heritage assets are what give our communities a sense of identity and history. • Policy should protect Heritage Assets identified in Neighbourhood Plans. • Protection should be extended to cover natural assets which are part of local heritage eg apple/cider orchards at Whimple • There is an inconsistency between this policy stating new development “must not cause harm” and policy 103 criterion 2 and 3 describing the various degrees of harm where development will be allowed. • Policy needs to be applied flexibly in recognition of the shortfall in employment land across EDDC and the sub-region 	
Supplementary Regulation 18 consultation Spring 2024	
<p>Key issues raised in consultation: None raised</p>	<p>Officer commentary in response: None raised</p>

Sustainability Appraisal	
See Sustainability Appraisal table below.	
Habitat Regulations Assessment	
Key issues raised in consultation: <ul style="list-style-type: none"> No concerns identified. 	Officer commentary in response: <ul style="list-style-type: none"> No comments.
Commentary on policy redrafting for the Publication Plan	
Redrafted policy title: <ul style="list-style-type: none"> Strategic Policy HE 01 – Historic Environment 	

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Strategic Policy 103 – Listed Buildings
Listed Buildings are considered to be the best examples of buildings of heritage importance and therefore warrant special protection. Policy ensures that applicants are clear as to what considerations will apply to any changes they wish to make.
Key technical evidence sources
<ul style="list-style-type: none"> In addition to the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest, and the Ancient Monuments and Archaeological Areas Act 1979 provides specific protection for scheduled monuments. Key evidence sources are the National Heritage List for England (Search the List - Find listed buildings, monuments, battlefields and more Historic England), Historic England’s guidance (https://historicengland.org.uk/advice/), the Historic Environment Maps and Records held by Devon County Council, listed building lists and Conservation Strategy held by EDDC (East Devon Heritage and Local Heritage Assets - East Devon) and Neighbourhood Plans

Issues and options consultation	
See General issues above.	
Draft Plan consultation	
<p>Key issues raised in consultation:</p> <p>The policy was well supported but some respondents felt it should go further whilst others were concerned that it is difficult to achieve energy efficiency whilst conserving historic features.</p> <p>More specific points included:</p> <ul style="list-style-type: none"> • There is lots of sector advice on how to help make historic buildings environmentally friendly. Impact on sustainability and climate change warrants consideration here e.g. https://historicengland.org.uk/advice/technical-advice/retrofit-and-energy-efficiency-in-historic-buildings/ • Listed buildings are vital to the sense of place inter locality and should be safeguarded in the ways the policy suggests. • Policy should acknowledge that listing covers the whole building • There needs to be much greater protection for listed buildings within the EDDC area. • Climate emergency makes energy efficiency essential and this should be acknowledged in policy. Reduce red tape. Allow double-glazing on listed buildings • Difficult to achieve net zero for listed buildings. • Developers will try and exploit the opportunities given in items I - iv and contract so-called experts to justify harming of a listed building to get their planning approval and profit 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • The reasoned justification has been amended to refer to the documents in the National Trust submission. • The need for a separate policy relating to energy efficiency/reducing reliance on carbon/climate change and the impact on listed buildings was considered. On balance it was felt not to be necessary or timely as Historic England are in the process of producing updated guidance which applicants can use to inform their proposals. Local Plan policy should not pre-empt or conflict with this (as yet unknown) advice and proposals will still need to comply with the overarching Local Plan policy.

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<ul style="list-style-type: none"> • Various individual buildings were suggested for listing and objections raised to proposed sites on the basis of proximity to listed buildings or areas of historic significance. • Newton Poppleford and Harpford Parish Council is concerned that the drafting of this policy allows developers an opportunity to justify causing harm to listed buildings. • The National Trust advise - the supporting text to this policy states that Heritage Statements, Statements of Significance, and Impact Assessments should be produced in line with current best practice and relevant national guidance. It is recommended that the guidance states that such assessments should follow a systematic approach in line with Historic England guidance: The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3, 2nd Edition (2017), and Statements of Heritage Significance: Historic England Advice Note 12 (2019), or as per any updates to these documents. 	
Supplementary Regulation 18 consultation Spring 2024	
Key issues raised in consultation: None	Officer commentary in response: None
Sustainability Appraisal	
See Sustainability Appraisal table below.	
Habitat Regulations Assessment	
Key issues raised in consultation: <ul style="list-style-type: none"> • No concerns identified. 	Officer commentary in response: <ul style="list-style-type: none"> • No comments.

Commentary on policy redrafting for the Publication Plan	
Redrafted policy title:	
<ul style="list-style-type: none"> • Strategic Policy HE 02 – Listed Buildings 	
Policy has been redrafted slightly so that changes of use are included within the scope of development rather than requiring a separate criteria. Policy reflects the legislation and is felt to be comprehensive. The reasoned justification of the Historic Assets policy has been amended to refer to Historic England guidance (as this was felt to apply to all historic assets, not just listed buildings).	

Strategic Policy 104 – Conservation Areas	
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Conservation Areas are one of the fundamental heritage assets, which are areas defined on account of the value and worth of the features they contain. Designation helps to improve our understanding of an area’s heritage and define what it is about the character or appearance that makes it special, and what should be preserved or enhanced. Policy ensures that applicants are clear as to what considerations will apply to any changes they wish to make.	
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Key technical evidence sources	
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| <ul style="list-style-type: none"> • In addition to the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest, and the Ancient Monuments and Archaeological Areas Act 1979 provides specific protection for scheduled monuments. • Key evidence sources are the Historic England’s guidance (https://historicengland.org.uk/advice/), the Historic Environment Maps and Records held by Devon County Council, the Conservation Area Appraisals and Conservation Strategy held by EDDC (East Devon Heritage and Local Heritage Assets - East Devon) and Neighbourhood Plans | |
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Issues and options consultation	
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See General issues above.	
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Draft Plan consultation	
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Key issues raised in consultation:	Officer commentary in response:
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<p>The Policy generated strong support for CA designation and protection.</p> <p>More specific points included:</p> <ul style="list-style-type: none"> • Additional CA’s should be considered. Some Neighbourhood Plans propose new CA’s (eg Uplyme) and these should be prioritised. • Inward and outward views should also be protected. • Trees within CA’s should be retained in new development and replaced if lost. • Development should be of the highest standard of design, and respect the local and vernacular traditions evident in the conservation area. • Item 2 - The word ‘substantial’ is too woolly and certainly not measurable. • Particular care should be taken to ensure CA are taken into account where affected by proposed allocation sites eg Whimble. Some areas containing allocations eg Littleham, Exmouth, should be considered for designation as CA’s • Permitted development rights have enabled local authorities to undertake inappropriate development in CA’s. • Newton Poppleford and Harpford Parish Council argue that the word ‘substantial’ is not measurable and will allow developers with large financial resources to overwhelm public opposition. 	<ul style="list-style-type: none"> • Most of the matters raised are covered by this policy or other policies of the plan and relate to concerns about the implementation of the policy rather than policy itself. • Views are already protected in the policy. • A number of new or extended Conservation Areas have been suggested and these will be considered by the Conservation Team and taken forward if they are appropriate and resources are available. They do not need to feature in this policy • “Substantial” is the terminology used in the NPPF and by Historic England. There is case law and guidance which will be used to inform planning decisions on this matter
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation:</p>	<p>Officer commentary in response:</p>

None	None
Sustainability Appraisal	
See Sustainability Appraisal table below.	
Habitat Regulations Assessment	
Key issues raised in consultation: <ul style="list-style-type: none"> No concerns identified. 	Officer commentary in response: <ul style="list-style-type: none"> No comments.
Commentary on policy redrafting for the Publication Plan	
Redrafted policy title: <ul style="list-style-type: none"> Strategic Policy HE 03 – Conservation Areas 	
Policy has not required amendment	
Strategic Policy 105 – Archaeology and Scheduled Monuments	
Archaeology and Scheduled Monuments are of great social, economic, cultural and educational value but are often overlooked or not visible at ground level. Policy ensures that applicants are clear as to what considerations will apply to any changes they wish to make.	
Key technical evidence sources	
<ul style="list-style-type: none"> In addition to the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest, and the Ancient Monuments and Archaeological Areas Act 1979 provides specific protection for scheduled monuments. Key evidence sources are the National Heritage List for England (Search the List - Find listed buildings, monuments, battlefields and more Historic England), Historic England’s guidance (https://historicengland.org.uk/advice/), the Historic Environment Maps and Records held by Devon County Council, local heritage assets and Conservation Strategy held by EDDC (East Devon Heritage and Local Heritage Assets - East Devon) and Neighbourhood Plans 	

Issues and options consultation	
See General issues above.	
Draft Plan consultation	
<p>Key issues raised in consultation:</p> <p>Policy is supported. Devon County Council (DCC) suggest detailed amendments to several parts of the policy.</p> <p>More specific points included:</p> <ul style="list-style-type: none"> • There should also be included a requirement for communication with the public (not just publication and local authority archiving) as part of any mitigation procedures. • Policy allows for exceptional cases but doesn't specify what these will be. This needs to be covered in more detail. • Generally acceptable but note that some monuments are cleaned in the mistaken belief that they look better. In whose opinion? • Does the Local Planning Authority have a suitable qualified officer? • Item 5 - The word 'substantial' is too woolly and not measurable. • Newton Poppleford and Harpford Parish Council argue that the word 'substantial' is not measurable and will allow developers with large financial resources to overwhelm public opposition. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • Policy has been amended to reflect the points made by DCC. • "Substantial" is the terminology used in the NPPF and by Historic England. There is case law and guidance which will be used to inform planning decisions on this matter

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Supplementary Regulation 18 consultation Spring 2024	
Key issues raised in consultation: None	Officer commentary in response: None
Sustainability Appraisal	
See Sustainability Appraisal table below.	
Habitat Regulations Assessment	
Key issues raised in consultation: • No concerns identified.	Officer commentary in response: • No comments.
Commentary on policy redrafting for the Publication Plan	
Redrafted policy title: • Strategic Policy HE 04 – Archaeology and Scheduled Monuments	
Policy has been slightly redrafted to reflect the comments of the Devon County Council Archaeologist. These points were minor but aid the clarity of the policy.	

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Strategic Policy 106 – Historic landscapes, Parks and gardens

Historic landscapes, parks and gardens are an important part of East Devon’s heritage and environment. They comprise a variety of features including the open space itself, views in and out, archaeological remains and, in the case of parks or gardens, a conscious design incorporating planting and water features, and frequently buildings. Historic landscapes are also important for their green infrastructure and biodiversity value. Policy seeks to protect such sites and their settings and to encourage sympathetic management wherever possible.

Key technical evidence sources	
<ul style="list-style-type: none"> • In addition to the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest, and the Ancient Monuments and Archaeological Areas Act 1979 provides specific protection for scheduled monuments. • Key evidence sources are the National Heritage List for England (Search the List - Find listed buildings, monuments, battlefields and more Historic England), Historic England’s guidance (https://historicengland.org.uk/advice/), the Historic Environment Maps and Records held by Devon County Council, local heritage assets and Conservation Strategy held by EDDC (East Devon Heritage and Local Heritage Assets - East Devon) and Neighbourhood Plans 	
Issues and options consultation	
See General issues above.	
Draft Plan consultation	
<p>Key issues raised in consultation:</p> <p>The policy was well supported by respondents although some felt it should go further.</p> <p>More specific points included:</p> <ul style="list-style-type: none"> • Important contributors to local and regional sense of place and deserve policy protection. • Business sponsors for these areas can help keep them maintained. • Open countryside and amenity of landscape should be protected at all costs • Sub section 3 is very subjective, woolly and not very measurable. How do you quantify substantial harm? How do you measure the balance between substantial harm and 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • Most of the matters raised are covered by other policies of the plan or relate to concerns about the implementation of the policy rather than policy itself. • “Substantial” is the terminology used in the NPPF and by Historic England. There is case law and guidance which will be used to inform planning decisions on this matter

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<p>substantial public benefits? Who decides?</p> <ul style="list-style-type: none"> • It's important to link the landscape, park and gardens to the biodiversity actions given the importance some of these can play in providing valuable green space. • EDDC seeks to commercialise parks and gardens in ways which undermine their historic value, and restrict opportunities to visit 	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation: None</p>	<p>Officer commentary in response: None</p>
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below.</p>	
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> • No concerns identified. 	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> • No comments.
<p>Commentary on policy redrafting for the Publication Plan</p>	
<p>Redrafted policy title:</p> <ul style="list-style-type: none"> • Strategic Policy HE 05 – Historic Landscapes, parks and gardens 	
<p>Policy has not been amended in light of the responses as it is not considered to be necessary.</p>	

Policy omissions from Chapter 15	
No policy omissions have been identified.	
Key technical evidence sources	
None	
Issues and options consultation	
See General issues above.	
Draft Plan consultation	
Key issues raised in consultation: <ul style="list-style-type: none"> • No need for additional policies was identified. 	Officer commentary in response:
Supplementary Regulation 18 consultation Spring 2024	
Key issues raised in consultation: <ul style="list-style-type: none"> • None 	Officer commentary in response:
Sustainability Appraisal	
See Sustainability Appraisal table below.	
Habitat Regulations Assessment	
Key issues raised in consultation: <ul style="list-style-type: none"> • None 	Officer commentary in response: <ul style="list-style-type: none"> • No comments.
Commentary on policy redrafting for the Publication Plan	
None	

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Sustainability Appraisal

Policy number/title:

- 102. Policy – Historic environment
- 103. Policy – Listed buildings
- 104. Policy – Conservation Areas
- 105. Policy – Archaeology and Scheduled Monuments
- 106. Policy – Historic Landscapes, parks and gardens

Outcome of sustainability appraisal:

Preferred alternative: Policies 102-106

Reasons for alternatives being preferred or rejected:

- Policies 102-106 are preferred due to major positive effects on conserving and enhancing heritage assets (objective 3), along with positive effects on the landscape (objective 2).
- 102A. Do not include policies on the conservation and enhancement of the historic environment – although legislation and national policy would still provide strong protection for designated heritage assets, this alternative would result in less positive effects on the historic and built environment, with some uncertainty, particularly for non-designated heritage assets.

Officer commentary in response:

- The preferred approach is supported.

10 Conclusions

10.1 This paper provides an assessment of policy matters that have informed redrafting of chapter 15 of the local plan in respect of policies relating to heritage considerations. At this stage of plan making, recommendations on a first redraft of plan policy for Strategic Planning Committee for October 2024 meetings, no significant or substantive policy changes are recommended.

10.2 The redrafted policies have, however, been generally tightened-up to provide greater clarity in respect of appropriate locations for new developments.

10.3 Chapter 15 of the plan (as maybe renumbered if other plan changes occur) will be subject to refinement through the committee process, and any possible subsequent redrafting, and will be considered again at Committee later this year.