

Annex 3 Suggested Amended Text to Satisfy Examiner Proposed Modifications PM19 and PM27

Strike-through denotes text to be deleted. Bold denotes additional or amended text.

PM19 – Policy ND3 Rural Exception Scheme Justification

Suggested revised text on pages 49-51 of the Luppitt Neighbourhood Plan (Submission version) in response to Examiners' Proposed Modification (PM) 19:

Whilst Luppitt is not a 'sustainable' parish as it is not capable of meeting the everyday needs of residents, the Government recognises the housing needs of such rural communities and points the way to increasing housing stock providing certain criteria are met. To assist rural communities, national planning policy (**NPPF paragraph 78-79**) requires local authorities to be responsive to local circumstances and allow housing that reflects local need. **To promote sustainable development in rural areas, housing should be located 'where it will enhance or maintain the vitality of rural communities'.** For example, where there are smaller groups of settlements, development in one may support services in another.

Luppitt parish is not defined by a 'built-up area boundary' (BUAB) nor does the Local Plan allocate any housing to the parish. In planning terms, the parish is considered to be 'countryside' in which there is a general presumption against development (**Strategy 7 of the Local Plan**). However, in compliance with national planning policy (NPPF Rural housing, Paragraph 78, the Local Plan recognises that occasionally the local community will need additional houses and has defined 'rural exception sites' for that purpose:

Rural Exception Sites

Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. Small numbers of open market homes may be allowed at the local authority's discretion, for example where essential to enable the delivery of affordable units without grant funding.

Provision is made for rural exception schemes to be brought forward through Strategy 35 of the Local Plan. This allows for schemes of up to or around 15 dwellings, where there is a proven local need demonstrated through an up to date robust housing needs survey. Affordable housing must account for at least 66% of the houses built.

To promote sustainable development in rural areas, such sites should be located 'where they will enhance or maintain the vitality of rural communities'. For example where there are groups of smaller settlements, development in one village may support services in another.

For villages without a Built-up Area Boundary, such as Luppitt, the Local Plan prescribes that schemes should be physically very well related to the built form of the village. In addition, it expects schemes to be located close to local community facilities and services. This is reflected in the restrictive locational criteria of our policy and supported by Policy BC1 which seeks to retain and enhance our community facilities.

Whilst Luppitt does not currently have 4 of the facilities listed in Strategy 35, this has been discussed with the Local Planning Authority in preparing the neighbourhood plan, and it was considered not to rule out a Rural Exception Scheme development here, if supported by the community, a genuine need established, and development restricted to an area within easy reach of the existing facilities within Luppitt village (as defined by the Parish Council on the map on page 9 of the plan and explained in Appendix 1)

To comply with the requirements of the Local Plan, three tests must be satisfied:

1. Demonstrate that the parish is 'reasonably sustainable'

To help reduce reliance upon the private car, Local Plan Strategy 35 sets out specific sustainability criteria to be met and requires any new scheme to be close to local community facilities and services. These must include at least four of the following defined facilities:

- o Place of worship
- o Village hall
- o Pub
- o Shop/post office
- o School
- o Doctor's surgery
- o Public transport service

2. Prove In terms of proving that 'need' exists for additional housing in its this parish, whilst a majority of the community felt that some affordable housing would be beneficial to the community, there is at present no statistical data to prove that demand for such housing exists. To determine whether demand actually exists, the Parish Council will commission an independent 'housing needs survey' for Luppitt

parish.

~~3. Identify the 'availability' of suitable sites for development~~

~~National Planning Policy Guidance sets the criteria for sites to be considered~~

~~acceptable for housing in rural areas~~

In terms of demonstrating that a site is suitable, the National Planning Policy Framework defines that to be considered deliverable, 'sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable'.

For sites to be considered eligible in Luppitt parish, they should **provide the minimum development necessary to meet the communities needs as be suitable for the scale of development** identified in the 'Housing Needs Survey' and satisfy the following criteria:

1. 'Brownfield land' will be preferred over farmland, woodland or amenity land.
2. Sites should be located in 'Luppitt village' as defined in Appendix 1. (Due to their smaller size and lack of facilities, the hamlets of Beacon, Wick, and Shaugh are considered unsuitable for this purpose.)
3. Development of sites should not result in a significant adverse impact upon existing properties, their setting or the wider landscape.
4. Sites must have adequate access from the highway and sufficient room to park all cars on-site.
5. Sites must comply with Local Plan planning policies and the policies in this Plan including the protection of the landscape and historic buildings and fully observe policies for siting, density, design, materials, screening, flooding and consideration for neighbouring properties.
6. Sites must be available for development immediately.
7. The scheme must be economically viable.

In the event that affordable housing is permitted as part of a small development that includes open market housing on a rural exception site, the Local Plan requires that at least 66% of the total number of units is made available as affordable housing. The occupancy of any affordable housing would be determined by Devon Home Choice applying an established 'local connection criteria'.

If sufficient demand can be established, the Parish Council will pursue the delivery of affordable housing through a community-led approach. Affordable housing is usually provided by private sector developers required under planning conditions to transfer affordable dwellings to a housing association which would oversee the sale, letting and ongoing management of the houses. In other circumstances, housing associations may develop affordable housing direct, or the community may consider granting permission itself through a Neighbourhood Development Order or a Community Right to Build Order. With less Government grant and subsidy available, a Community Land Trust (CLT) provides another method of delivering affordable housing.

EDDC Viability Guidance Note 5: 'Viability and Exception Sites', published on [EDDC's website](#) provides further guidance.

(The concept of 'Entry Level Exception Sites' was introduced in the NPPF 2018 but is not permitted in an AONB and is therefore not applicable to Luppitt.)

PM27 – Policy ND7 Holiday Cottages (now ND5 Holiday Accommodation) Policy Justification

Suggested revised text on pages 52-53 of the Luppitt Neighbourhood Plan (Submission version) in response to Examiners' Proposed Modification (PM) 27:

Holiday Accommodation Cottages and Second Homes

In addition to the trend to use houses in the countryside as weekend or second homes - a factor that reduces the availability of parish dwellings for the resident community - the use of dwellings as holiday letting cottages has the dual impact of assisting local tourism, but also reducing the available supply of housing for the community. In the extreme, both have the potential to negatively impact upon community vitality. Smaller dwellings are often the type that could be occupied by village dependents to start an independent life. A balance therefore needs to be struck and whilst it is recognised that little can be done to control second homes, the planning system can, where planning permission is required, **have some influence on determine** how many dwellings in Luppitt parish become holiday letting cottages in the future.

There are approximately 30 holiday cottages and second homes in Luppitt (15% of the total stock) of which some are multi-unit holiday businesses. It is recognised that tourism is a key business sector in East Devon and that visitor expenditure is one of the key drivers of the local economy and sustains many in employment. Short breaks have grown substantially over recent years and this has led to successful **holiday cottage/accommodation** businesses in Luppitt which themselves support some local employment. However, the community's response to the 2018 Luppitt Parish Questionnaire made clear that there is no support for new-build holiday cottages in the parish. On the other hand, the conversion of redundant traditional farm buildings to provide self-catering holiday cottages, guest houses and properties that provide bed and breakfast was supported by a large majority of the community.

Therefore, ~~in considering~~ applications for the change of use of redundant farm buildings **for holiday accommodation, and other small scale proposals for tourist accommodation**, where planning permission is required, **will generally be**

supported subject to careful consideration of impact on the character, landscape, amenity and infrastructure of the area.

Proposals for the change of use of an existing dwelling to holiday letting cottage use ~~will not generally require planning permission but where it is they will not usually be supported. However, the Parish Council will take into account the percentage of existing holiday cottages to the overall stock of houses in the parish in reaching a judgement, the Parish Council will take into account the percentage of existing holiday cottages to the overall stock of houses in the parish. If, in the judgment of the Parish Council after careful consideration, the percentage is too high, such applications will not be supported.~~

Applications for new-build holiday cottages, **and other permanent new-build tourist accommodation**, will not be supported under any circumstances.