

## **Examination of the New East Devon Local Plan 2006-26**

### **Housing and Gypsy and Travellers: Consultation**

In response to questions raised by the Inspector the Council has produced further evidence relating to housing need and the needs of gypsies and travellers. The Council also proposes to allocate some new sites and to amend or delete some allocations and to make a number of changes arising from the discussions at the Hearings in February and March 2014. This note relates to the evidence relating to housing need and the needs of gypsies and travellers and the resulting changes to the Local Plan and proposed new or amended allocations proposed by the Council and resulting changes.

**This consultation relates only to the Council's proposed changes and representations relating to parts of the Local Plan which are not proposed to be changed will not be accepted.**

The new evidence relating to housing need and the needs of gypsies and travellers and the resulting changes to the Local Plan and proposed new or amended allocations proposed by the Council will be discussed at Hearings which are to be held week commencing 6 July 2015. The following questions relate to these matters only and have been posed by the Inspector. Representations are not limited to these questions but they are designed to guide representors and avoid the need for the submission of further statements by those wishing to participate in the Hearings.

The Council is expected to produce a response to all these questions no later than two weeks from the re commencement of the hearings.

**Written representations carry the same weight as those made orally at a hearing.**

#### Housing

1. The National Planning Policy Framework (NPPF) advises that Local Plans should '*be drawn up over an appropriate time scale, preferably a 15-year time horizon*'. It is proposed that the Plan period change from 2006 to 2026 to 2013 to 2031.
  - a) Is the proposed change appropriate and is it supported by the new evidence produced by the Council?
  - b) What are the implications, if any, of changing the start date from 2006 to 2013 on meeting any un met need for housing?
2. According to National Planning Practice Guidance (PPG), the starting point when assessing need should be the household projections published by the Department for Communities and Local Government. The latest projections (2012 – 2037) were published in February 2015. The authors of the 2014/15 Strategic Housing Market Assessment (SHMA) admit that the latest projections were not used as they came too late to inform the assessment

and that the estimates of need in the SHMA may be higher than would be case had the 2012 based rates been used<sup>1</sup>.

- a) Do the SHMA, the Employment Projections Report<sup>2</sup> and the East Devon Demographic Scenario 'Policy on' Report<sup>3</sup> provide robust and reliable evidence to support the revised housing target of a minimum of 17,100 new homes between 2013 and 2031?
  - b) If, as the SHMA says, the 2012 projections may have led to a lower estimate of need does this matter given that the NPPF seeks to boost the supply of housing and provided the level growth can be satisfactorily accommodated?
3. As submitted Strategy 1 directs about 50% of new homes to the West End, 40% to the seven main towns and 10% to smaller towns and villages. Those percentages are proposed to be deleted and according to the figures in the revised Strategy 2, the distribution would be as follows: West End, 64%, Area centres, 29% and 7% to villages and the rural area. Does this distribution meet objectively assessed needs, particularly in the smaller towns, villages and the rural areas?
4. As proposed to be changed Strategy 27 would no longer assign housing numbers to small towns and larger villages nor would sites be designated through a Villages Development Plan Document. The provision of new housing in the settlements listed in the revised Strategy 27 would be left to Neighbourhood Plans.
- a) If the plan does not assign numbers or allocate sites in these settlements (informed by The Small Towns and Villages Development Suitability Assessment 2014<sup>4</sup>) how will the 1,123 dwellings identified for villages and rural areas in Strategy 2 be delivered?
  - b) Without strategic guidance with regard to numbers and distribution from the Local Plan, how will the Council ensure that new housing in small towns and villages meets objectively assessed needs?
5. Assuming the Plan is sound, would it, on adoption make provision for 5 years' worth of supply?
6. As submitted the Local Plan sought to deliver around 15,000 new dwellings between 2006 and 2026 (20 years x 750 pa). That target is now proposed to be around 17,100 between 2013 and 2031 (18 years x 950 pa). Assuming 17,100 is the right number; does the Plan make adequate provision for its delivery?

#### Accommodation for Gypsies, Travellers and Travelling Showpeople

7. The Devon Partnership Gypsy and Traveller Accommodation Assessment 2014 identifies a need for 37 pitches for gypsies and travellers and 3 sites for travelling showpeople (2014 – 2034)<sup>5</sup>.
- a) Are the assessments findings and the targets soundly based?

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<sup>1</sup> Exam Doc. PSD2015d, paragraph 8.8.11

<sup>2</sup> PSD2015e

<sup>3</sup> PSD2015f

<sup>4</sup> PSD2015i

<sup>5</sup> PSD2015o, Tables 9.2 & 9.3

- b) Were, as required by national guidance, traveller communities engaged in the production of the assessment?
8. Planning Policy for Traveller Sites requires local planning authorities to set pitch targets for gypsies and travellers and plot targets for travelling showpeople which address the likely permanent and transit site accommodation needs of travellers in their area, working collaboratively with neighbouring local planning authorities. A need has been identified and it has not been met. The Local Plan does not accord with national policy and is, therefore, unsound. How can this be rectified?
9. The Council intend to produce a Gypsy and Traveller Development Plan Document (DPD) but the National Planning Policy Guidance (NPPF) states that local planning authorities should produce a Local Plan for its area and that any additional DPDs should only be used when clearly justified.
- a) Given that the Local Plan is able to allocate land for housing and employment uses what is the justification for not including pitch targets for gypsies and travellers in the Local Plan?
- b) Does the failure to allocate land for gypsies and travellers and travelling showpeople in the Local Plan contravene the Public Sector Equality Duty?<sup>6</sup>
10. Planning Policy for Traveller Sites requires criteria based policies to be fair and to facilitate the traditional and nomadic life of travellers while respecting the interests of the settled community. Does Policy H7, as proposed to be revised, comply with national guidance?

### Allocations

11. Is the area proposed to be designated as the Cranbrook Plan Area justified?
12. The Council has resolved to grant outline planning permission for the proposed allocation at Mosshayne Green (Strategy 13, Site No. W213B). Does the site need to be allocated given the Council's resolution? Can it be delivered?
13. What are the implications for safeguarding the land for a railhead at the proposed Intermodal Interchange Site? (Strategy 15).
14. Is the proposed allocation at Winslade Park, Clyst St Mary (Site W344) suitable for housing and deliverable?

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<sup>6</sup> In responding to the question the Council and others may wish to refer to the following judgement 'Moore and Coates v Secretary of State for Communities and Local Government [2015] EWHC 44 (Admin)'