

---

**From:** Lawrence Turner [REDACTED]  
**Sent:** 10 May 2019 14:16  
**To:** Planning Policy  
**Cc:** [REDACTED]  
**Subject:** comment on the Draft Affordable Housing SPD  
**Attachments:** 20424 A5 LKT jmm 190509 Complete East Devon Aff Hsg SPD.pdf

Dear Sirs

Please find attached representations on the draft Affordable Housing SPD on behalf of Taylor Wimpey in respect of the land at East Honiton.

Lawrence Turner  
Associate



W: [www.bartonwillmore.co.uk](http://www.bartonwillmore.co.uk)  
101 Victoria Street, Bristol, BS1 6PU



Consider the Environment. Do you really need to print this email?

The information contained in this e-mail (and any attachments) is confidential and may be privileged. It may be read, copied and used only by the addressee, Barton Willmore accepts no liability for any subsequent alterations or additions incorporated by the addressee or a third party to the body text of this e-mail or any attachments. Barton Willmore accepts no responsibility for staff non-compliance with our IT Acceptable Use Policy.

---

East Devon Draft Affordable Housing  
Supplementary Planning Document (SPD)  
(March 2019)

May 2019

**East Devon Draft Affordable Housing  
Supplementary Planning Document (SPD)  
March 2019**

**For Taylor Wimpey**

<b>Project Ref:</b>	20424/A5/LKT/jmm		
<b>Status:</b>			
<b>Doc:</b>	P1		
<b>Date:</b>	May 2019		
<b>Prepared by:</b>	Lauren Taljaard		
<b>Checked by:</b>	Lawrence Turner		
<b>Authorised by:</b>			

Barton Willmore LLP  
101 Victoria Street  
Bristol  
BS1 6PU

Tel: [REDACTED]

Email: [REDACTED]

Ref: 20424/A5/LKT/jmm  
Date: May 2019

**COPYRIGHT**

The contents of this document must not be copied or reproduced in whole or in part without the written consent of Barton Willmore LLP.

All Barton Willmore stationery is produced using recycled or FSC paper and vegetable oil based inks.

## **1.0 INTRODUCTION**

- 1.1 We write on behalf of our client, Taylor Wimpey, to provide comments on the East Devon Draft Affordable Housing Supplementary Planning Document (SPD) (March 2019). Taylor Wimpey is promoting circa 28 ha of land to the east of Honiton. A location plan at **Appendix A** shows the site edged in red. The site has been promoted for residential development since 2011; and most recently as part of the Greater Exeter Strategic Plan.
- 1.2 The site has the capacity to deliver up to 550 homes, making a significant contribution to East Devon's housing supply and represents a sustainable extension to the town.

## 2.0 COMMENTS ON THE DRAFT AFFORDABLE HOUSING SPD

- 2.1 As we understand it, East Devon is preparing an affordable housing SPD in order to provide guidance on the implementation of the affordable housing policies in the adopted East Devon Local Plan 2013 – 2031 (adopted 2016) and the Cranbrook Plan (once adopted).
- 2.2 We note that the amount of affordable housing to be sought (25% at Honiton) and the 70% social/affordable rent and 30% intermediate mix is already established in policy 34 (district wide affordable housing provision targets) of the adopted East Devon Local Plan (EDLP).
- 2.3 Adopted EDLP Policy 34 sets out the preference for on-site provision; need for viability assessments to demonstrate why affordable provision is not viable (number of homes and mix); the use of overage clauses where affordable housing is provided below policy targets; and the need to disperse affordable housing through the scheme.
- 2.4 Adopted policy 36 (accessible and adaptable homes and care/extra care) also establishes the requirement for all the affordable housing on sites of 10 dwellings or more to meet M4(2) of the Building Regulations, unless viability evidence indicates that it is not possible.

### Tenure and Mix

- 2.5 The tenure mix sought in the SPD repeats that set out in adopted Local Plan policy. Since the Local Plan was published the NPPF has been revised such that the NPPF 2019 contains a much broader definition of affordable housing and now includes starter homes, discounted market sales housing, and rent to buy. Rightly, the SPD reflects this broader definition and whilst this is supported, para 4.5 goes on to state:

**“The inclusion of some of these products within the definition of affordable housing (namely low cost market housing, starter homes, rent to buy) post-dates the Strategic Housing Market Assessment, so there is currently a lack of evidence regarding the need for these types of affordable housing in East Devon. Therefore, the councils’ priority is to deliver shared ownership, relevant equity loans, and other low cost homes for sale. Given the range of potential products, an applicant should provide evidence to justify the mix being proposed within the 30% ‘intermediate or other housing’.”**

2.6 It is the last sentence that is unduly onerous on developers, to which we object. The NPPF has expanded the definition of affordable to include additional sources of intermediate housing and so long as developers respond to this 30% intermediate mix (as stipulated in policy – and provided this is viable), in the absence of evidence from an up to date SHMA on the indicative mix of intermediate types required at Honiton, there should be flexibility on the intermediate types sought. If the Council require a specific intermediate mix, this needs to be established in evidence via an update to the SHMA and carried through into Local Plan policy and guidance. Leaving it to developers to prepare evidence on intermediate housing mix for every development across the district is inefficient and ineffective. This will need to be addressed in the review of the SHMA for the Greater Exeter Strategic Plan. In the meantime, in the absence of up to date, district-wide SHMA evidence on intermediate mix requirements, flexibility will need to apply to applications.

2.7 The tenure and mix section of the SPD goes on to identify the size (ie number of bedrooms) of the affordable dwellings that will be sought. This is based on the evidence set out in the 2014/15 SHMA as follows:

***Intermediate housing for sale:***

2.8 50% one, 40% two and 10% 3 bedroom properties

***Social and affordable rented housing:***

2.9 50% one, 40% two and 10% 3 and 4 bedroom properties

2.10 Whilst it is useful for the SPD to indicate the size of affordable units sought, this can be unduly restrictive if strictly applied across all applications in all areas of the district, especially as the SHMA is already 5 years old. The SPD should make it clear that these targets are **indicative** and subject to negotiation with each application, subject to need, deliverability and overall mix of dwelling sizes across a development. Alternatively, the targets could be expressed as a range to enable flexibility at the detailed design stage.

**Design and layout**

2.11 Para 5.12 states:

**“In order to foster social cohesion and a mixed and balanced community from the outset, on-site affordable housing should be delivered alongside market dwellings. Therefore, unless it is not feasible or viable, for schemes of 20 or more dwellings:**

- **No more than 50% of open market dwellings should be occupied prior to completion of 50% of the affordable homes**
- **No more than 75% of open market dwellings should be occupied prior to completion of 100% of the affordable homes”.**

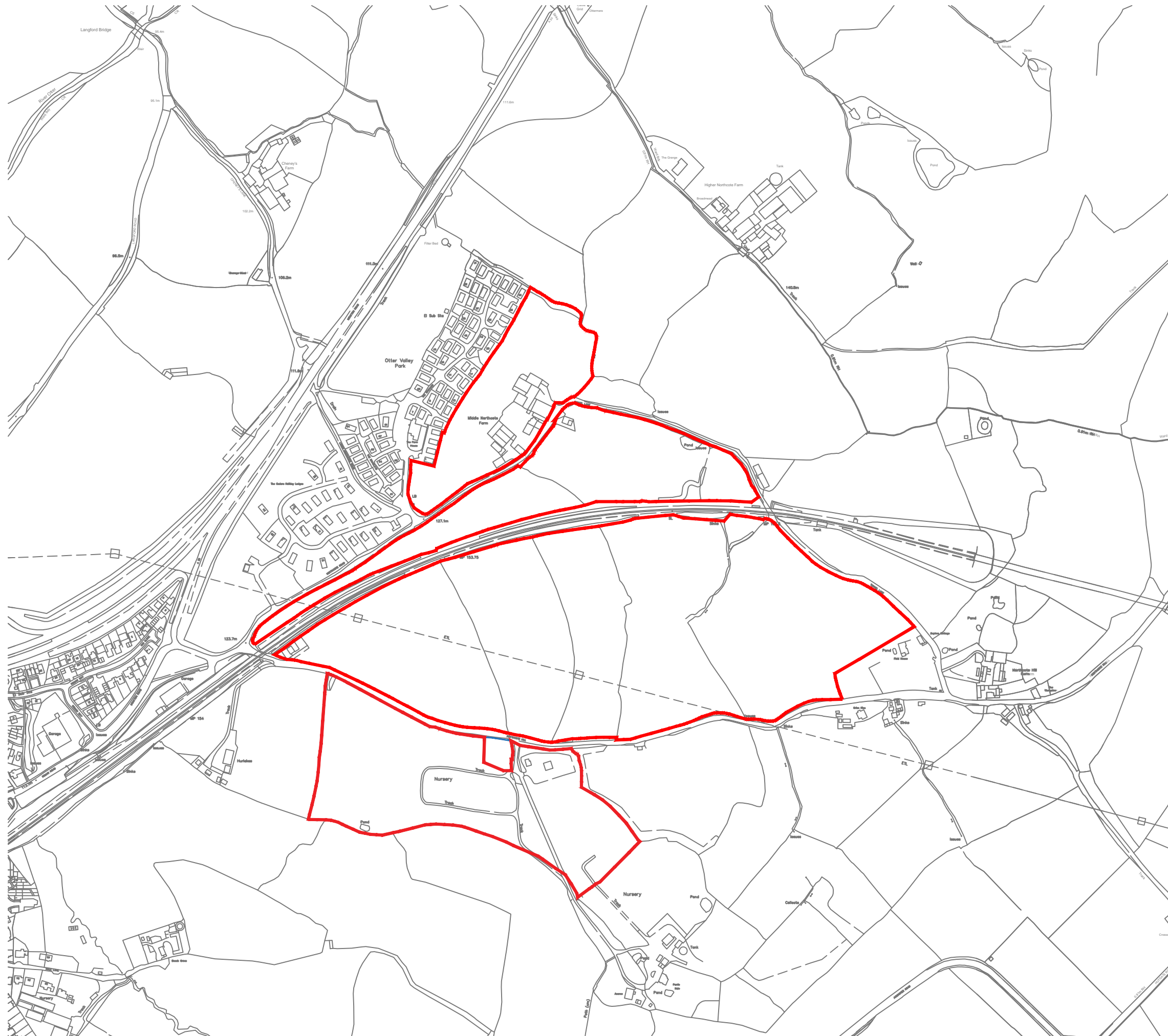
2.12 Holding up the build out / occupation of a development where the affordable housing lags behind the open market is unduly restrictive, particularly where this could be down to issues associated with the availability of funding for the affordable housing from Registered Providers or similar sources. It would be unwise if delays in payment / funding for the affordable housing were to hold up development in East Devon where housing is needed. Therefore, we object to this wording in the SPD. Timing and phasing of development (including affordable housing) is a matter that can be agreed in a section 106 agreement for individual sites.

### **Overage**

2.13 Taylor Wimpey object to the use of overage clauses and their application across all sites should be removed from the SPD. Viability is a matter for the local plan and affordable housing targets should be set with sufficient flexibility that they can be applied without impacting on viability. Of course, the housing market fluctuates and there is the opportunity provided for developers to prepare their own viability assessments with applications where viability is an issue for a development. However, viability assessments add delay and cost for all concerned, hence the need for flexibility when setting affordable housing targets and tenure mix etc in the Local Plan. However, even after obtaining planning permission, a developer proceeds at considerable risk. Applying an overage clause and reopening viability later down the line is overly complex and can add considerable delay to projects which is frustrating for all concerned and is not in the spirit of speeding up the delivery of housing and much needed affordable housing. This approach simply adds more risk to the development and to overall viability and the overage requirement should be removed from the SPD.

**APPENDIX A**  
**Location Plan**





Project  
**Land East of Honiton**

Drawing Title  
**Red Line Boundary Plan**

Date	Scale	Drawn by	Check by
10.04.17	1:5000@A3	CDB	JdH
Project No	Drawing No	Revision	
20424	9000	A	



Planning • Master Planning & Urban Design  
Architecture • Landscape Planning & Design • Project Services  
Environmental & Sustainability Assessment • Graphic Design

[bartonwillmore.co.uk](http://bartonwillmore.co.uk)



[bartonwillmore.co.uk](http://bartonwillmore.co.uk)

TOWN PLANNING  
MASTERPLANNING & URBAN DESIGN  
ARCHITECTURE  
LANDSCAPE PLANNING & DESIGN  
PROJECT MANAGEMENT  
& COST CONSULTANCY  
ENVIRONMENTAL  
& SUSTAINABILITY ASSESSMENT  
GRAPHIC DESIGN  
PUBLIC ENGAGEMENT  
RESEARCH

All Barton Willmore  
stationery is  
produced using recycled  
or FSC paper and  
vegetable oil based inks