

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

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By email only

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Dear Mr Dickins,

At the last hearing I promised to write to you giving a date for my report or setting out what further work is required. Unfortunately I do not consider that the Local Plan is sound nor at this stage can it be made so by main modifications.

### Housing Numbers

1. I do not consider that the 15,000 housing target is justified by the evidence submitted to the examination. The National Planning Policy Framework (NPPF) requires local planning authorities to ensure that Local Plans are based on adequate and up to date evidence<sup>1</sup> and to prepare a Strategic Housing Market Assessment (SHMA) to assess their full housing needs over the plan period<sup>2</sup>. The 2007 SHMA<sup>3</sup> was updated in 2011<sup>4</sup> and it was accepted by your consultant at the hearing that it was prepared before the most recent guidance was issued. The 2011 update is founded in part on survey work done in 2007 and so its reliability is questionable. Further, it only covers 2011 to 2016 and is criticised by your other consultants, Roger Tym and Partners who produced the 2011 Housing and Employment Study<sup>5</sup>.
2. In any event, it is clear from the hearing that the 15,000 target in Strategy 1 is not based on the SHMA but the low migration scenario figure for East Devon given in Table 6.3 of the Roger Tym report (10,800) plus about 4,000 for overspill from elsewhere (largely Exeter) which has no empirical evidential basis. The National Planning Practice Guidance (NPPG)<sup>6</sup> advises that the starting point for estimating need should be the latest population and housing projections. I acknowledge that the 2011 projections should be used with caution but Roger Tym's estimates are based on the 2008 population and household projections. I could question the validity of choosing the low migration model given that the Roger Tym report

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<sup>1</sup> Paragraph 158

<sup>2</sup> Paragraph 159

<sup>3</sup> CD/Hsg019

<sup>4</sup> CD/Hsg020

<sup>5</sup> CD/Hsg002, paragraphs 6.29 to 6.33

<sup>6</sup> Reference ID: 2a-015-20140306

leans towards a higher figure but there seems little point given the shortcomings in the evidence base overall.

3. I give little weight to the County Council's work given that it is county wide and is based in part on demand rather than objectively assessed need. I cannot, therefore, conclude that the figure of 15,000 is justified by up to date and appropriate evidence. The absence of an up to date SHMA is a serious failing and makes a full assessment of need difficult. To rectify this, the Council should produce an up to date SHMA to assess the need for housing and affordable housing. If an updated SHMA indicates levels of need greater than provided for by the Plan you should test the impact of higher levels of growth through SA/SEA. Subject to the results of that exercise, you should consider making provision for an increased number of dwellings and/or set out results of discussions with neighbouring authorities in relation to meeting any un met need in the District.
4. As discussed at the hearing it seems most unlikely to me that parts of West Dorset and East Devon do not fall into the same housing market area. I see that according to the 2007 SHMA and 2011 update the Coastal Towns sub market area includes part of West Dorset and Lyme Regis in particular. However, none of the survey work appears to include any parts of West Dorset. As you know the Inspector examining the West Dorset, Weymouth & Portland Local Plan has indicated that further work needs to be done with regard to assessing housing needs. There would, therefore, seem to be an opportunity to work with West Dorset in preparing evidence.

#### 5 year housing land supply

5. The NPPG states that; '*Local planning authorities should aim to deal with any under-supply within the first five years of the plan period where possible*'<sup>7</sup>. That and the aim of the NPPF to significantly boost the supply of housing weighs against the Liverpool approach to meeting your backlog. Turning to the arguments in favour of Liverpool in Topic Paper 1; whilst adopting Sedgefield may result in a marked drop in the rate of provision after 5 years this is an argument that could be repeated many times and the high rate is due to past failures in delivery. To accept a longer period to address the shortfall is counter to the aim of significantly boosting housing supply and would run the risk of leaving households in need for longer.
6. Dangers of overdevelopment, directing development to the best sites and where it is needed, sustainability and matching development to infrastructure should all be addressed through planning i.e. the Local Plan. As you say in the Topic Paper, plan led provision lies at the heart of the NPPF and I see nothing in the Sedgefield approach which would prevent this in East Devon.
7. The '5 year land supply update - Sedgefield Approach' assessment produced by you at my request shows a housing land supply of 4.04 years as of October 2013. Paragraph 49 of the NPPF warns that relevant polices for the supply of housing

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<sup>7</sup> Reference ID: 3-035-20140306

should not be considered up to date if a 5 year supply cannot be demonstrated. The District Council needs to be able to demonstrate a 5 year supply on adoption of the Local Plan and I look forward to hearing how you intend to ensure this will be the case.

### Housing Distribution

8. No doubt any work on a new SHMA will consider distribution and I would expect, in accordance with the objective of achieving sustainable development, that new development would be directed to settlements that have the capacity to accommodate and sustain new development. I am aware that the numbers allocated for villages in Strategy 27 are based on consultations with local communities. However, I am concerned that these figures are not based on an assessment of the ability of the small towns and villages to accommodate growth and that the blanket application of a 5% minimum growth is too crude a tool. Further, the post submission changes to Policy 27 strongly imply that the 5% will be treated as a maxima. I suggest, therefore, that you revisit Strategy 27 in light of the Settlement Appraisals which, if applied consistently, do not support some of the figures in Strategy 27.

### Plan period

9. The NPPF advises that plans should preferably have a life of 15 years<sup>8</sup>. This is not fixed in stone but if adopted in 2014, the plan would only have a life of 12 years. I am aware that provision is made for development beyond the plan period at the West End. However, I consider that this approach offers less certainty and a longer plan period would give developers, landowners and you greater confidence in the long term delivery of the Growth Point. Further, it leaves less time to deliver and react to changes that may threaten delivery in the rest of the District, particularly as it is envisaged that the Villages Development Plan Document and Neighbourhoods Plans are to follow, all of which will take time to produce, examine and adopt before they become effective.
10. The 2011 Housing and Employment Study<sup>9</sup> projects housing and employment requirements to 2031. Should any further work/studies to address my concerns regarding evidence of housing need cover a period beyond 2026 then I would ask that you give serious consideration to extending the plan period.

### Gypsies and travellers

11. The last assessment of the accommodation needs of gypsies and travellers was carried out in 2006 and only addressed provision up to 2011. I was informed at the hearing that you sought to work with some of your neighbours to produce a new assessment in time to inform the Local Plan but, for reasons outside your control, that did not prove possible. I agree that rather than commission an independent assessment it would be better to pursue a joint approach and I

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<sup>8</sup> Paragraph 157

<sup>9</sup> CD/Hsg002

understand that a new assessment has just been commissioned and that it should be completed by this summer of 2014.

12. It is proposed that, should a need be identified, you would then produce a Gypsy and Traveller Plan. This is not ideal and runs counter to the advice in the NPPF which discourages multiple plans. A suspension of the examination to allow you to produce additional housing evidence may provide an opportunity for any need identified through a gypsy and traveller needs assessment to be addressed through the Local Plan rather than a separate plan.

I would now ask you to give careful consideration to the above matters. The production of a new SHMA may take some time and I would appreciate an indication of how long you consider you will need to produce this information in order that we can plan ahead with regard to the length of any suspension and any further hearings that may be required. I will do all I can to help the Council in relation to the way forward, although you will appreciate the restricted nature of my role in this regard and that any advice given is without prejudice.

Yours faithfully

*A Thickett*

Inspector