

EAST DEVON DISTRICT COUNCIL

Notes of a Meeting of the Local Development Framework Panel held at the Knowle, Sidmouth on Tuesday 20 September 2011

Present: Councillors:
Mike Allen (Chairman)
Ray Bloxham
Peter Bowden
Alan Dent
Andrew Moulding
Helen Parr
Steve Wragg
Claire Wright

Also Present: Councillors:
Geoff Chamberlain
David Chapman
Maddy Chapman
Paul Diviani
Christine Drew
Vivien Duval-Steer
Jill Elson
Martin Gammell
Steve Gazzard
Roger Giles
Graham Godbeer
Ben Ingham
Frances Newth
Geoff Pook

Honorary Alderman Vivienne Ash

Officers:
Matt Dickens, Planning Policy Manager
John Golding, Head of Housing
Kate Little, Head of Economy
Paul Lowe, Housing Enabling Officer
Fliss Morey, Projects Director, Exeter & East Devon Growth Point
Claire Rodway, Senior Planning Officer
Andrew Seddon, Senior Solicitor
Ross Sutherland, Planning Officer
Hannah Whitfield, Assistant Democratic Services Officer

Apologies: Councillors:
Derek Button
Bob Buxton
Tony Howard
Douglas Hull
Stephanie Jones
John O'Leary
Ian Thomas
Mark Williamson

The meeting started at 10.00 am and finished at 12.35 pm.

38 Notes of Previous Meeting

The notes of the of the Local Development Framework (LDF) Panel meeting held on 13 September 2011 were discussed and agreed as a true record subject to:

- Councillor Alan Dent being attended to the list of those present;
- Minute 35, Habitat Regulations and Biodiversity – to reflect the Member discussion at the meeting include:
Principals underlying the proposals in the landscape protection policy for the AONB ought to be reflected across the rest of East Devon.

49 Declarations of Interest

The following declarations of interest were made by Members:

Councillor/Officer	Agenda Item	Type of Interest/ Action Taken	Nature of Interest
Councillor Claire Wright	General	Personal – Remained in Chamber to take part in discussion and voting	Councillor was a member of the Communities Before Developers (CBD) Campaign Group and had signed up to the CBD Candidate's Pledge
Councillors Ray Bloxham and Alan Dent	General	Personal – Remained in Chamber to take part in discussions and voting	Member of National Trust
Councillor Peter Bowden	General	Personal – Remained in Chamber to take part in discussions and voting	Councillor's wife was an Advisor to the Devon Federation of Women's Institutes – will be called upon to advise/comment on National Planning Policy Framework.
Councillor Graham Godbeer	General	Personal – Remained in Chamber to take part in discussion	Vice Chairman of East Devon AONB
Councillor Mike Allen	General	Personal – Remained in Chamber to take part in discussion	Honiton Town Councillor

40 **Draft Local Plan Vision Statement**

The Chairman urged Members to send him comments on the draft Local Plan Vision Statement which had been circulated via email and uploaded onto the Council's website. He advised the content had largely been lifted from the Preferred Approach document. A revised version of the Vision Statement would be brought back to a future Panel meeting.

The Portfolio Holder for Corporate Business advised that Cabinet would be considering a first draft of the revised Corporate Strategy (becoming the "Council Plan") on 5 October and highlighted the importance of the two documents being closely linked.

41 **Consultation Response to Draft National Planning Policy Framework**

Members of the Development Management Committee would that afternoon be considering a report regarding the Council's consultation response to the Draft National Planning Policy Framework which recommended that delegated authority be given to the Head of Economy to respond on behalf of the Council. As the Framework detailed the role of local plans the Panel Members felt that the response should be considered at the next Panel meeting prior to submission.

RESOLVED: that the Council's consultation response to the Draft National Planning Policy Framework be considered at the next Panel meeting.

42 Forward Plan and Schedule of Meetings

Members noted the forward plan which scheduled items and subjects for discussion at future meetings; the following amendments were advised:

- West End Development would now be considered on 4 October
- Development Management Policies would now be considered on 11 October

The Panel heard that it was anticipated proposals regarding the future of health service provision in the District would be received shortly.

43 Affordable Housing

Members considered the affordable housing papers which included a discussion paper from the Head of Housing, draft affordable housing technical paper setting out options for housing policies in East Devon and Housing Market Assessment update report.

Providing new affordable housing was a corporate and Housing Strategy priority, based on robust evidence of housing need – the Local Plan and emerging LDF policies were central to the ability to deliver affordable housing to meet the need. During his presentation Members noted the following:

- 108 new affordable homes, including 17 Council own build properties had been delivered in the last financial year. 230 – 250 new affordable homes per annum were required to meet affordable housing need;
- Over recent years affordable housing had been delivered on the back of market housing and rural exceptions policy;

43 Affordable Housing continued...

- Affordable housing discussion paper set out the context of changes to affordable housing funding/delivery and issues and opportunities for consideration with regard to planning policy;
- PPS 3 set out a revised definition of affordable housing, which included affordable rented and intermediate affordable housing;
- An East Devon Local Area update report had been commissioned for the Housing Market Assessment (HMA) produced in 2007. A variety of indicators were used to inform the estimate of the number of affordable housing required - HMA update report was a key tool used in projecting need for the plan period. East Devon's affordable housing output would need to be doubled to meet predicted need from the HMA. HMA set out need in terms of tenure and the full report in 2007 contained detailed information with regard to needs of different client groups;
- Wish to see reference to lifetime homes and extra care housing in the Local Plan – was featured in Issues and Options and complimented the work of the Housing Service. With regard to extra care housing EDDC had adopted DCC's position;
- There was an issue of whether affordable housing was delivered within the town/area where the need was identified or where opportunity arose;
- Vital that planning policy adopted through Local Plan/LDF was framed to optimise affordable housing to give the best chance of meeting undisputed need.

Evidence from speakers included:

- Affordable housing targets recommended to the Panel were too high – targets would not need to be as high when 'backlog' of affordable housing need had been met. As economy improved need for affordable housing would decrease.
- Misleading to use predicted affordable housing requirements for the next 5 years and extrapolate the figure to 2026 – no evidence to support.
- Demand for affordable housing from inward migration – policy should control provision of affordable housing for migrant to key workers.
- Economic viability of affordable homes assessed in terms of profitability to developers and landowners – no consideration of costs to wider community.
- Commuted sum payments for affordable housing - off-site approach would offer greater flexibility to provide solutions where affordable housing is needed.

Matters raised and issues arising during subsequent discussion included:

- Expectations of the Council needed to be clear, therefore it was reasonable to have a figure/target written into the policy. The Local Plan was not set in stone and would be reviewed approximately every 5 years;
- Experience has shown that the need for affordable housing need would not decrease, due to population increase and low incomes;
- Evidence to support recommendations was drawn from HMA, housing need studies, EDDC's housing register and Strategic Housing Viability Assessment;
- Government papers showed that Registered Providers would be able to charge up to 80% of rented rates, an average increase of 30% - anticipated that any shortfall would be met by Housing Benefit. Aspiration of Government to pay benefits for need, for example person requiring 1 bedroom flat would be paid benefit for a 1 bedroom flat - however there was concern that there was insufficient housing available for people to live in housing that met their need;
- Inward migration – legal requirement that if a person had lived in the area for 6 months and became homeless the Council had a duty to house;
- Existing policy had not supported affordable housing delivery – thresholds too high. Support contributions from smaller developments;

43 Affordable Housing continued...

- Provision of all types of housing, such as park homes, self build, extra care housing required – delivery of affordable housing should not be focused purely in the towns;
- Shared equity schemes popular – challenge of how to make it more affordable. Mix of tenure important;
- Concerns that levels of affordable housing required would not be delivered due to other factors such as infrastructure demands;
- Focus should be placed on addressing the number of empty/holiday homes in the district – being tackled at national level, however EDDC could make representation;
- Consideration given to how the Council brought forward affordable housing, on its own land for example, as well as that delivered by landowners/developers;
- Support affordable housing for local people and key workers;
- Support for lower threshold – net gain of one across the district. Lesser contribution for 1 property to avoid loss of windfalls – contribution to increase with number of properties. Formula to be applied;
- Council had been over reliant on Cranbrook to deliver affordable housing;
- Delivery of housing dependent on economic drivers – Economic Plan being produced;
- Gardens were now designated as “green field” – but development still permitted under certain conditions;
- Conserve and enhance areas that were not designated but had qualities and distinctiveness that should be protected. Protect green wedges;
- Sustainability a key consideration for where affordable housing was delivered;
- Should the Council ask for contributions towards affordable housing from commercial applications?
- If the viability for affordable housing works better in the coastal belt and rural areas, shouldn't that be where it was delivered?
- Percentages for higher value and lower value areas:
 - Concerns that if percentages were too high no development would be brought forward – target offered flexibility, however might not ever achieve target;
 - Suggest have one target percentage with caveat ‘subject to viability’ – concern that the approach would require a viability assessment on each application;
 - Support for target of 50% in higher value areas, subject to viability – evidence to support;
 - Minimum (not target) of 25% for lower level value areas subject to viability for upward percentage – evidence to support.
- Three Dragons consultants had been asked to check the viability of recommendation (d).

43 Affordable Housing continued...

POLICY RECOMMENDATIONS: that based on the evidence contained in the Strategic Housing Viability Assessment (SHVA):

- a. Formula for threshold of net one gain one to be applied throughout the district;
- b. 50% affordable housing required in the higher 'value areas', subject to viability;
- c. A minimum of 25% affordable housing was set in the lower 'value areas', subject to viability to increase percentage;
- d. the following schedule be incorporated into affordable housing policy:

Areas to which lower affordable housing target would apply	
The following towns ⁽¹⁾	Axminster
	Exmouth
	Honiton
	Ottery St. Mary
	Seaton
Major ⁽²⁾ strategic 'west end' ⁽³⁾ development sites	
For the purposes of this schedule:	
(1) 'towns' are defined as the area within the Built-up Area Boundary and any abutting land;	
(2) 'major' is a proposal for 300 or more homes;	
(3) 'west end' is not a defined policy area, but a terms that refers to a group of schemes identified in the plan that provide for major strategic growth in the western part of East Devon.	

- e. Subject to viability, mixed market and affordable housing policy CS22 of the Preferred Approach report be modified to allow for schemes of up to 15 houses in rural settlements with Built-up Area Boundaries, of which at least 66% were to be affordable. Sites could be outside of but must be well related to the Built-up Area Boundary.

44 Neighbourhood Planning

Members considered the report and proposed draft text for inclusion in the new Local Plan regarding Neighbourhood Plans. Neighbourhood Plans would provide a fundamental tool through which communities could plan for their local area, and their use in planning for additional 'rural' development had been agreed by the Panel; therefore it was considered appropriate to include a specific section on their role and production in the new Local Plan.

The draft text before Members was intended to provide an overview of the process by which communities would be expected to follow in order to produce a Neighbourhood Plan, along with practical guidance. Members noted that as the Localism Bill had not been enacted it might be necessary to make amendments. Experience had also been drawn from Pilot authorities which were part-way through the Plan production process. The preferred model for producing Neighbourhood Plans was very similar to Parish Plan production; the only significant difference was

44 Neighbourhood Planning continued...

the final statutory stages of Neighbourhood Plan production and that the Plan might be found unsound by EDDC, the examiner and community (through a 'no' vote) at referendum.

Members comments included:

- Process lacks spatial element;
- Concerns regarding cost and time to produce Neighbourhood Plans;
- Considerable cost to towns, such as Exmouth, to produce Neighbourhood Plans due to size – plans would need to be produced for each ward. EDDC would meet cost of referendum and examination;
- Concern that many parishes had spent time and money producing Parish Plans/Design Statements which would no longer be required. Members were advised that the preferred model chosen built on the evidence required for Parish Plans/Design Statements; therefore the work would not be lost. Parish Plans/Design Statement adopted by EDDC would remain valid and carry some weight, however would not have gone through the statutory processes required for Neighbourhood Plans;
- There was no obligation for parishes/towns to produce a Neighbourhood Plan – For villages that wished to have more than the 5% increase dwellings (inside the Built-up Area Boundary), Neighbourhood Plans would provide a means by which evidence could be provided and local consensus on development reached – it would also offer scope for communities to plan for additional development;
- Neighbourhood Plans had to be consistent with the Council's Local Plan;
- Neighbourhood Plan could promote community development removing the need for planning permissions. Land would need to be allocated in the Plan.
- Neighbourhood Plans could identify where the 5% increase in dwellings would be built.

RECOMMENDED: that draft text and position regarding Neighbourhood Plans be noted and revised policy wording for inclusion in the Local Plan be brought back to a future Panel meeting.

45 Sustainability Appraisal and Strategic Environmental Assessment

Members noted the legal requirement for the Council to undertake a Sustainability Appraisal and Strategic Environmental Assessment to evaluate the potential impact development proposals and policies could have in the environment and on social and economic wellbeing. Land Use Consultants had been appointed to lead on this work in 2009, incorporating the Strategic Environmental Assessment into the Sustainability Appraisal, and discussions were currently being held with the consultants in respect of transition from the old style LDF Core Strategy appraisal/assessment to a new style Local Plan appraisal.

45 Sustainability Appraisal and Strategic Environmental Assessment continued...

In 2008 a number of sustainability objectives had been established and were considered to still present a comprehensive overview of key considerations to assess emerging policy against. The Panel's view was sought on their appropriateness – comments and observations included:

- Objectives need to be clear and achievable;
- No mention of infrastructure or green infrastructure (green/open space, green wedges);
- Objective 12 – promote cycle ways, footpaths;
- Objective 2 – access to community services difficult to achieve due to transport issue, particularly in rural areas;
- Objective 17 – requires clarification;
- Wish to achieve a balanced economy – not over dependent on one sector;
- Assessment of sites – sites not individually assessed. Scales of different types of development had been assessed;
- Objective 10 – insert 'enhance';
- Objective 15 – reduce the risk of flooding rather than just ensuring there was no increased risk;
- Objective 1 – define 'decent home'. Aim to build to appropriate sustainable code level.

RECOMMENDED: that the Panel's comments and observations be noted and used to refine the Sustainability Appraisal – Sustainability Objectives.