

**CABINET
7 MARCH 2023**

MID DEVON MEETING HOUSING NEEDS SUPPLEMENTARY PLANNING DOCUMENT (SPD)

Cabinet Member(s): Councillor Barnell, Cabinet Member for Planning and Economic Regeneration

Responsible Officer: Richard Marsh, Director of Place

Reason for Report and Recommendations: To approve the draft Mid Devon Meeting Housing Needs Supplementary Planning Document for Public Consultation

RECOMMENDATION:

To Cabinet that

- 1. The draft Mid Devon Meeting Housing Needs Supplementary Planning Document (Appendix 1 to this report), the Strategic Environmental Assessment Screening Report (Appendix 2 to this report) and the Habitat Regulations Assessment Screening Report (Appendix 3 to this report) be approved for public consultation.**
- 2. That delegated authority be given to the Director of Place in consultation with the Cabinet Member for Planning and Economic Regeneration to finalise the material and arrangements for consultation.**

Financial Implications: There is existing budgetary provision for the preparation of the Meeting Housing Needs SPD. There will be some limited additional costs associated with consultation which may involve printing and postage, for which budgetary provision also exists.

Legal Implications: The process of preparing the Meeting Housing Needs Supplementary Planning Document (SPD) will need to comply with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's Statement of Community Involvement. Adoption of the Meeting Housing Needs SPD will help provide direction on the relevant policies adopted in the Mid Devon Local Plan 2013-2033 in relation to housing development proposals that are submitted to the Council for determination and help guide planning decisions made on these.

Risk Assessment: The Meeting Housing Needs SPD will provide guidance on the Mid Devon Local Plan 2013-2033 policies on housing. The document will reduce the risk of costs being awarded against the Council where decisions are based on its content.

Budget and Policy Framework: Once the Meeting Housing Needs SPD has been completed and adopted it will form guidance that will be capable of being used to inform decisions taken on planning applications submitted to the Council for determination.

Equality Impact Assessment: A full Equality Impact Assessment (2017) has been prepared as part of the Mid Devon Local Plan Review evidence base.

The assessment has included relevant policies with regard to housing and has found many have a positive impact on persons with protected characteristics, in particular against the backdrop of equalities issues, including ethnicity (Gypsies and Travellers), and persons with mobility impairment or other disabilities.

Relationship to Corporate Plan: The Meeting Housing Needs SPD will contain guidance on the Mid Devon Local Plan 2013-2033 policies on housing. It will particularly help deliver the Corporate Plan priority for 'Sustainable and prosperous communities' and objective for 'Homes'.

And Councils policy framework – Housing Strategy 2021 - 2025

Impact on Climate Change:

The Meeting Housing Needs SPD does not include content that will have direct or indirect impacts on climate change. However, the broader scope of policies in the adopted Local Plan provide for sustainable development, including the distribution of new housing to help reduce the need to travel by car, and supporting energy efficiency.

1.0 Introduction

- 1.1 The current Mid Devon Meeting Housing Needs SPD was adopted in June 2012. It contains guidance intended to support policies for housing development that were included in the Council's Core Strategy 2026 (adopted 2007) and the Allocations and Infrastructure Development Plan Document (AIDPD (adopted 2010)) that were in force as part of the statutory development plan for Mid Devon at that time. The SPD includes guidance on housing tenures, housing mix, standards of affordable housing, qualifying sites for affordable housing, a definition of affordable housing, and financial implications of affordable housing (development viability, developer contributions, and off-site contributions), layout and design, assessing rural need, and implementation. It also includes an Annex 1 Local Need / Connection Qualification Criteria, which has subsequently been updated in 2017.
- 1.2 The Core Strategy, and the Allocations and Infrastructure Development Plan Document (AIDPD) have now been replaced by the Mid Devon Local Plan 2013 – 2033. This follows the adoption of the local plan on 29th July 2020. As such, there is a need to update and replace the guidance included in the Meeting Housing Needs SPD so that it reflects the policies of the adopted local plan, and is consistent with current national planning policy and practice guidance. Additionally a new Meeting Housing Needs SPD is needed to reflect other parts of the Council's policy framework, including the Corporate Plan 2021 – 2024 and A Housing Strategy for Mid Devon 2021-2025.
- 1.3 Officers have prepared a new Meeting Housing Needs SPD which will provide guidance that can support relevant housing policies of the adopted Mid Devon Local Plan, principally:

- Policy S3 Meeting housing needs,
- Policy S14 Countryside,
- Policy DM1 High Quality Design,
- Policy DM6 Rural Exceptions Sites,
- Policy DM7 Traveller sites,
- Policy DM8 Rural workers' dwellings.

It will also reflect more recent technical evidence and studies, including the Mid Devon Local Housing Needs Assessment (LHNA) completed September 2022 (noting there are limitations in taking forward recommendations in the LHNA since this technical evidence post-dates the preparation of the adopted local plan, which was informed by a Strategic Housing Market Assessment and a viability appraisal). It also reflects current good practice in relation to the planning and facilitating the delivery housing to meet the needs of different parts of the community, including drawing from casework in relation to development proposals in Mid Devon. It should be noted that at the time of the preparation of the Meeting Housing Needs SPD a Gypsy and Traveller Accommodation Needs Assessment (GTAA) was being undertaken for Mid Devon by consultant Opinion Research Services. Subject to the early completion of the GTAA its findings may be used to help inform updates to the Meeting Housing Needs SPD before it is finalised and adopted.

- 1.4 The Meeting Housing Needs SPD has been prepared in accordance with Part 5 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's Statement of Community Involvement and will be adopted by the Council as a Supplementary Planning Document (SPD). The SPD will not be part of the development plan and does not introduce new planning policies into the development plan. However, it will be capable of being a material consideration in determining planning applications.

2.0 Content of the Meeting Housing Needs SPD

- 2.1 The scope and content of the new Meeting Housing Needs SPD is broader than the current version. It reflects national planning policy (NPPF paragraph 62) through the inclusion of guidance on "the size, type and tenure of housing needed for different groups in the community ...(including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes)".
- 2.2 The scope and content has also been shaped through the development of in-house expertise and experience in housing enabling through the work of the Principal Housing Enabling and Policy Officer and with support from the Council's Housing Services team. It should be noted this includes the Principal Housing Enabling and Policy Officer's work with the national Right to Build Task Force. The draft SPD also incorporates recommendations from research undertaken on behalf of Team Devon, to encourage, enable and support Community Land Trusts and address the barriers to securing high quality affordable housing for local people.

2.3 The scope and content of the new Meeting Housing Needs SPD is as follows:

1.0 Introduction

2.0 Affordable Housing

- Defining affordable housing
- Housing Tenures and Dwelling Mix
- First Homes
- Dwelling size mix
- First Homes local eligibility criteria and planning obligation requirements
- Standards of affordable housing
- Electric vehicle charging point provision
- Financial implications of affordable housing
 - Development viability
 - Off-site affordable housing contributions
- Timing of affordable housing
- Rural Exception Sites
- Layout and Design
- Registered Providers
- Net Zero and the Climate Emergency
- Assessing Rural Need

3.0 Housing for older persons and people with disabilities

- Accessible and adaptable homes
- Wheelchair accommodation
- Bungalow provision

4.0 Community Led Housing

- Support for community-led housing groups
- Housing Needs Surveys to support community housing schemes
- Community Housing Fund
- Section 106 affordable housing funding for community housing schemes
- Involving community housing groups in the provision of affordable housing on allocated sites

5.0 Homes for Gypsies and Travellers

- Another form of housing for part of our community
- Who are gypsies and travellers – definition for planning purposes
- Confirmation of gypsy and traveller status
- What is meant by a gypsy and traveller pitch?
- Occupancy restrictions
- Meeting identified need for pitches
- Unauthorised encampments
- Adopted local plan
- Application of local plan policies, and components of s106 planning agreements
- Onsite provision

Offsite provision
Part of affordable housing provision
Design of sites and pitches

- 6.0 Homes for Travelling Showpeople
 - Who are Travelling Show People – definition for planning purposes
 - Travelling Show People Accommodation
 - Meeting identified needs for plots and yards
 - Occupancy restrictions
 - Adopted Local Plan

- 7.0 Custom and Self-Build
 - What is custom and self-build?
 - Types of custom and self-build
 - Demand for custom and self-build plots
 - Policy context
 - Delivery on larger sites and the 5% policy requirement
 - Planning applications
 - Serviced plots
 - Achieving quality design and the role of design codes and plot passports
 - Use of planning conditions and obligations
 - Marketing
 - Alternative off-site delivery of custom and self-build plots
 - Delivery of affordable custom and self build – rural exception sites

- 8.0 Modern methods of construction

3.0 Strategic Environmental Assessment / Habitats Regulation Assessment Screening

3.1 The Meeting Housing Needs SPD has been ‘screened’ to establish whether it requires a Strategic Environmental Assessment (SEA). The SEA Screening Report (**Appendix 2**) has identified that the Meeting Housing Needs SPD is unlikely to have significant negative effects on the environment. The SEA Screening Report has also found that there is no requirement for the Meeting Housing Needs SPD to be subject to a full SEA.

3.2 The Meeting Housing Needs SPD has been ‘screened’ for the purpose of the Habitat Regulations Assessment (HRA) to assess whether it may affect the protected features of a European ‘habitats site’ identified under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended). The HRA Screening Report (**Appendix 3**) identifies that the Meeting Housing Needs SPD is not likely to have significant adverse effects on the integrity of Habitat sites, either alone or in-combination with other plans or projects, and therefore further ‘Appropriate Assessment’ is not required.

4.0 Public Consultation

4.1 In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's Statement of Community Involvement, a public consultation exercise of at least 6 weeks is proposed to be undertaken, commencing on a date to be agreed. Once the consultation has ended and all comments have been taken into account, the final version of the Meeting Housing Needs SPD and a statement of public participation will be presented to a future meeting of the Cabinet with a recommendation to adopt the document as a SPD.

5.0 Groups Consulted

5.1 The Planning Policy Advisory Group (PPAG) considered the Meeting Housing Needs SPD at its meetings of 17th January 2023 and 9th February 2023 and have agreed the recommendations to the Cabinet.

Contact for more Information:

Arron Beecham (Principal Housing Enabler and Policy Officer)
abeecham@middevon.gov.uk / 01884 234221

Tristan Peat (Forward Planning Team Leader) tpeat@middevon.gov.uk / 01884 234344

Circulation of the Report:

Councillor Barnell - Cabinet Member for Planning and Economic Regeneration

Leadership Team, Finance, Legal Services and Equalities

List of Background Papers:

Appendix 1: Meeting Housing Needs Supplementary Planning Document

Appendix 2: SEA Screening Report

Appendix 3: HRA Screening Report