

Report for: Cabinet

Date of Meeting:	14 November 2023
Subject:	Meeting Housing Needs Supplementary Planning Document (Adoption)
Cabinet Member:	Cllr Steven Keable, Cabinet Member for Planning and Economic Regeneration
Responsible Officer:	Richard Marsh, Director of Place
Exempt:	None
Wards Affected:	All Wards
Enclosures:	Appendix 1 – Meeting Housing Needs Supplementary Planning Document Appendix 2 – Strategic Environmental Assessment Screening Report Appendix 3 – Habitats Regulations Assessment Screening Report Appendix 4 – Statement of Consultation Appendix 5 – Adoption Statement

Section 1 – Summary and Recommendation(s)

To inform members of the outcomes of the public consultation on the Meeting Housing Needs Supplementary Planning Document, the amendments that have been made in response to comments received and to formally adopt the Meeting Housing Needs Supplementary Planning Document (SPD).

Recommendation(s):

To Cabinet that

- 1. The Mid Devon Housing Needs Supplementary Planning Document (Appendix 1 of this report) is adopted and is published on the Council's website together with the Strategic Environmental Assessment**

Screening Report (Appendix 2), the Habitats Regulations Assessment Screening Report (Appendix 3), the Statement of Consultation (Appendix 4), and its Adoption Statement (Appendix 5).

Section 2 – Report

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.
- 1.2 The Core Strategy, and the Allocations and Infrastructure Development Plan Document (AIDPD) have now been replaced by the Mid Devon Local Plan 2013 – 2033.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 existing SPD so that it reflects the policies of the adopted local plan, and is consistent with current national planning policy and practice guidance. Additionally, this update reflects the Council's current policy framework, including the Corporate Plan 2021 – 2024 and the Housing Strategy for Mid Devon 2021 – 2025.
- 1.3 Officers have prepared a new Meeting Housing Needs SPD which provides guidance that supports 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 Exception Sites
 - Policy DM7 Traveller Sites
 - Policy DM8 Rural Workers Dwellings
- 1.4 It also reflects 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 planning and facilitating the delivery of 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, a Gypsy and Traveller Accommodation Needs

Assessment is being undertaken for Mid Devon by consultant Opinion Research Services.

- 1.5 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:
- i. Introduction
 - ii. Affordable Housing
 - iii. Housing for Older Persons and People with Disabilities
 - iv. Community Led Housing
 - v. Homes for Gypsies and Travellers
 - vi. Homes for Travelling Showpeople
 - vii. Custom and Self-Build
 - viii. Modern Methods of Construction

3.0 Strategic Environmental Assessment / Habitats Regulations 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 took place between 17 July and 25 August 2023.
- 4.2 A total of 11 duly made responses were received. A summary of the main comments / issues raised during the consultation, along with a response and where appropriate and explanation of how these comments / issues have been addressed in the final adopted version of the Meeting Housing Needs SPD is set out in a Statement of Consultation at **Appendix 4**.
- 4.3 In general, the scope and content of the SPD was supported. Consultees particularly welcomed the Council's proposed guidance on co-housing, community led housing and custom and self-build as a way of diversifying the supply of housing in Mid Devon. A number of comments were received on how the SPD can contribute towards achieving net-zero, concerns around future development and infrastructure provision. There were also some concerns raised regarding the proposed approach for First Homes and that the SPD may introduce additional financial burdens to development.
- 4.4 A number of amendments have been made to the SPD in response to detailed consultation comments received. The principal changes are:
- **Additional flexibility regarding the provision of First Homes.** Whilst, the Government requires that 25% of all affordable homes

should be delivered as First Homes, the Mid Devon Local Housing Needs Assessment shows a need for only 4.4% of the affordable homes to be First Homes. The revised approach sets out that on the basis of current need for First Homes, they are unlikely to be the preferred form of affordable homes. Provision will therefore be considered on a case by case basis and the Council will continue to monitor need for, and delivery of, First Homes and continue to negotiate the most appropriate mix of housing types to meet local needs.

- **Additional guidance on the design and location of affordable housing.** An amendment has been incorporated to reflect the principles for affordable housing set out in the National Design Guide to make clear that there should be no segregation or difference in quality between tenures by siting, accessibility, environmental conditions, external façade or materials.

5.0 Planning Policy Advisory Group

5.1 The Planning Policy Advisory Group (PPAG) considered the Meeting Housing Needs SPD at its meeting on 25th October 2023 and agreed that the SPD be recommended to the Cabinet for approval subject to the following amendments being made to it:

Paragraph 2.40 at the end of the paragraph add the sentence “There is a need to make homes climate-resilient through the planning process and the application of national Building Regulations, recognising that poor quality design and standards of construction can have implications for the condition of those properties and the quality of life of their occupiers.”

Principle 11 remove the words “age restricted”

Paragraph 7.19 add the words “(the phasing out of gas will be encouraged)” after the word “Gas”

Financial Implications

There is existing budgetary provision for the preparation of the Meeting Housing Needs SPD. As this report commends to Cabinet the final version for adoption, there are no additional financial implications.

Legal Implications

The process of preparing the Meeting Housing Needs Supplementary Planning Document has complied 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 provide direction and amplification on the relevant policies of the adopted 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 provides 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.

Impact on Climate Change

The Meeting Housing Needs SPD is underpinned by a strong commitment to having 'low carbon, accessible and adaptable homes'. It will therefore help facilitate positive impacts on climate change.

Equalities Impact Assessment

A full Equality Impact Assessment (2017) was prepared as part of the Mid Devon Local Plan review evidence base. An additional EqIA screening was prepared for this SPD. The assessment included relevant policies with regard to housing and found that 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 contains guidance on the Mid Devon Local Plan 2013 -2033 policies on housing. It helps to deliver the Corporate Plan priorities for 'Sustainable and Prosperous communities' and 'Objectives for homes'.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151

Date: 31 Oct 2023

Statutory Officer: Maria De Leiburne

Agreed on behalf of the Monitoring Officer

Date: 31 Oct 2023

Chief Officer: Richard Marsh

Agreed by or on behalf of the Chief Executive/Corporate Director

Date: 31 Oct 2023

Performance and risk: Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 06 Nov 2023

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

Contact: Arron Beecham, Principal Housing Enabling and Forward Planning Officer

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Telephone: 01884 234221

Background papers:

Cabinet meeting 7 March 2023 – Mid Devon Housing Needs Supplementary Planning Document