



MID DEVON LOCAL PLAN REVIEW 2013 – 2033

Proposed Submission (incorporating proposed modifications) Examination

Inspector: Paul Griffiths BSc (Hons) BArch IHBC

Main Hearings - Hearing 4: Tuesday 19th February 2019

Matters and Issues

Development Management Policies

Statement of Mid Devon District Council

ISSUE 5

Is Draft Policy DM6 (Rural Exception Sites) too restrictive?

5.) Is Draft Policy DM6 (Rural Exception Sites) too restrictive?

- 5.1 No, Draft Policy DM6 is not too restrictive. It is consistent with national policy, namely paragraph 54 of the National Planning Policy Framework (2012), positively prepared in that it forms part of the plan's strategy to meet objectively assessed development needs, and justified and effective as it is the most appropriate strategy based on evidence and is deliverable over the plan period. There are no strategic alternatives identified within the Sustainability Appraisal **[SD04]** as the Council's development management policies have been developed to reflect the NPPF position locally, or are written to reflect the Local Plan Review's supporting evidence base **[SD04a]**.
- 5.2 The policy encourages the delivery of affordable and low-cost housing in rural areas, and sets out the criteria by which, exceptions can be made to the normal restrictions on housing development outside defined settlements. Notwithstanding these exceptions, the sites must adjoin a settlement limit as defined by Policy S13. Where a parish does not have a defined settlement but does have an affordable housing need, the Council will use a broader interpretation of settlement as set out in the policy supporting text.
- 5.3 In accordance with paragraph 54 of the National Planning Policy Framework 2012, the policy allows some market housing to come forward within exception sites in order to facilitate the provision of significant additional affordable housing to meet local needs. The policy requires the proportion of market housing to be less than the provision of affordable or low-

cost housing, and that the market housing will be at the lowest level necessary to ensure that the development is deliverable. It is considered that this policy is sufficient as drafted, as the primary function of the policy is to deliver affordable and low-cost housing to meet proven local need. To do otherwise and allow more market than affordable housing, even when the numbers of affordable homes delivered in any one scheme might be locally significant, would be unjustified and inconsistent with Policy S14 of the Local Plan Review. The Inspector's attention is respectfully drawn to the Inspector's Report into the Council's adopted Local Plan Part 3: Development Management Policies 2013 [LDO03] and associated Inspector's Report which adopted a similar policy approach.

- 5.4 The policy supporting text explains that affordable and low cost-housing is reserved for those who cannot afford open market housing and have a local connection to the area. The definition of a 'local connection' is kept under review and is therefore contained within supporting guidance rather than policy. Currently, the Council's local connection criteria are contained within the adopted Meeting Housing Needs SPD¹ (adopted 2012) and were amended by the Council in 2017². The Council intends to undertake a full review of this SPD following adoption of the Local Plan Review.
- 5.5 The policy also permits self-build housing to come forward as exception sites where at least one of the occupiers has an established housing need, assessed against the Government's Help to Buy eligibility criteria. Whilst self-build is not, of itself, affordable housing as set out in the NPPF, it can provide cost savings compared to market housing. It is therefore appropriate to facilitate self-build housing through this policy, whilst ensuring that any development would help meet proven local needs. Paragraph 025 of the Government's Planning Practice Guidance (Self-build and Custom Housebuilding) suggests that authorities should consider how they can best support self-build and custom housebuilding. The approach proposed within Draft Policy DM6 supports the Government's and indeed the Council's aspirations and duties to support this type of housing.

¹ <https://www.middevon.gov.uk/media/85180/housing-needs-adopted.pdf>

² <https://www.middevon.gov.uk/media/345298/affordable-housing-allocations-criteria-2017.pdf>