

# MID DEVON DISTRICT COUNCIL

## Internal Consultation Response

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From: **Forward Planning & Housing Enabling**

To: Helen Govier, Principal Planning Officer

Location: Tidcombe Hall, Tidcombe Lane, Tiverton, Devon, EX16 4EJ

Date: 16 January 2023

Application: 24/00045/MOUT

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### **Proposal**

**Outline for the erection of up to 100 dwellings to include the conversion of Tidcombe Hall and outbuildings, provision of community growing area, public open space, associated infrastructure, ancillary works and access with all other matters reserved.**

#### **Note**

This Forward Planning and Housing Enabling Response deals solely with housing land supply matters. All other matters associated with the application have not been addressed but will be considered by the case officer in the process of determining the application.

The applicant's planning statement contends that the Council is unable to demonstrate a robust five year housing land supply. A review conducted by Intelligent Land (December 2023) has been submitted to support the application.

The Council's housing land supply position was comprehensively assessed as part of the planning inquiry at Hartnoll Farm, Tiverton. The inquiry took place in September 2023 with the Inspector's Decision Letter issued on the 20<sup>th</sup> October, just three months ago. Inspector Stephen Wilkinson, who conducted the inquiry, concluded that:

*"I am satisfied that the evidence provided by the Council is robust being drawn from a range of sources"*

And

*"I anticipate that the overall 5YHLS would be around 2,603 (a reduction of 90 dwellings from the Council's anticipated supply) which equates to a supply of just over five years".*

The issues identified by the applicant in challenging the Council's current position were equally as prevalent just three months ago when the appeal Inspector reached his conclusions. There are therefore unlikely to be significant changes that have not previously been robustly examined, particularly in the absence of later monitoring data.

In any event, the review prepared by Intelligent Land was clearly conducted prior to the

latest iteration of the National Planning Policy Framework published on 20 December 2023. This affirms recent consultation proposals around five year land supply (that are referenced within the Intelligent Land Report). The effect of these changes are that local planning authorities no longer need to meet 5YHLS requirements as long as the adopted local plan is less than five years old, and identifies at least a five year supply of specific, deliverable sites at the time that its examination concluded. The Mid Devon Local Plan 2013 – 2033 was adopted in July 2020 and is therefore less than five years old. The Plan identified a robust five year supply of deliverable sites as confirmed by the examining Inspector at the time. The ‘tilted balance’ is therefore not engaged.

There is a transitional arrangement at footnote 79 of the updated Framework, that the policy contained in paragraph 76 and the related reference at footnote 8 should only be taken into account as a material consideration when dealing with applications made on or after the date of publication of this [December 2023] version of the Framework. The above application was received after the publication of the Framework<sup>1</sup> and therefore the transitional arrangements do not apply in this case.

Accordingly, the normal planning balance applies as defined by Section 38(6) of the Planning and Compulsory Purchase Act 2004.

**Arron Beecham**

**Principal Housing Enabling and Forward Planning Officer**

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<sup>1</sup> The signed declaration within the application form is dated 2 January 2024 and the application was validated on 8 January 2024.