

Agenda Item 10

Report to Development Management Committee

17 November 2009

FDW



Interim Mixed Affordable and Market Housing Position Statement

1.0 Summary

- 1.1 This report follows the 22 September 2009 meeting of the Development Management Committee that gave consideration to an interim policy that would allow for mixed market and affordable housing outside Built-up Area Boundaries in rural areas. This report summarises the main points made by respondents to the consultation exercise which expired on the 30 October 2009 and also provides an initial officer response. Any comments received after printing and circulation of this report will be reported separately to Committee.
- 1.2 Most comments received supported the proposed interim policy, though with a number of reservations or objections in respect of some individual criterion. There were a number of respondents who highlighted procedural and legal matters in respect of failure of the policy to conform with formal policy production processes (to reflect this factor it is recommended that it is changed from an interim policy to a position statement).

Recommendation

That the latest Interim draft rural departure site affordable and market housing 'policy' that went out for public consultation in October 2009 be recommended to Full Council for approval for development management purposes subject to:

- 1 it being amended to be called an 'Interim Mixed Affordable and Market Housing Position Statement';**
- 2 it being amended, along with its supporting text/reasoned justification, in accordance with the proposed changes detailed in the wording at Appendix 1 to this report;**
- 3 delegated authority being granted to Karime Hassan, Corporate Director and/or Peter Jeff, Corporate Director to make further minor changes; and**
- 4 the interim position being applicable for the period running to the end of 2010 (subject to review in this period) during which time full planning permission will need to be granted and commencement of works starting within 12 months of the granting of permission.**

a) Reasons for Recommendation

The interim statement is intended to encourage landowners to release land for residential development by allowing a proportion to be market housing, even on sites outside Built-up Area

Boundaries, in order to better meet the demand for affordable housing in the District. The result of the consultation exercise has, to date, been predominantly favourable.

b) Alternative Options

In the light of the reservations expressed by respondents, the interim statement could be abandoned or withdrawn for reconsideration.

c) Risk Considerations

If the Council proceeds with adoption and/or application the Council may be open to legal challenge on the grounds that it is inconsistent with Government guidance in Planning Policy Statements 3 and 12 in respect of proper plan making procedures. Challenges may also be made in respect of application of the position statements, for example from aggrieved parties not wishing to see development occur.

d) Policy and Budgetary Considerations

The statement would sit alongside existing Local Plan policies and other higher tier policies. It would not supersede any existing planning policies but it does advise on what could be relevant material considerations in the determination of applications. There are no identified budgetary considerations (although if the statement resulted in legal challenges there could be financial implications for the Council).

e) Date for Review of Decision

It is proposed that the statement is time-limited and subject to review/will be superseded by LDF policy.

2.0 Introduction

2.1 At the 25 August 2009 meeting of the Development Management Committee, members gave consideration to the report by the Head of Planning and Countryside Services regarding future affordable housing policy. This advised Members and Officers in how to handle affordable housing schemes that may come forward in advance of a fresh Local Development Framework policy, and how to take into account the current difficult economic circumstances. This was in view of the Council's highest priority of providing affordable housing to those local people in need. It was resolved that Members and Officers note the report and take forward schemes for affordable housing whenever possible.

2.2 At the 22 September 2009 meeting of the Development Management Committee, Members considered a report of the Head of Planning and Countryside Services regarding an Interim Rural Departure Site Policy for Mixed Affordable and Market Housing, which had been considered by the Communities Overview Committee on 16 September 2009. A redraft incorporated amendments made in the light of comments and discussions at the Overview Committee. It was resolved that the Development Management Committee endorses the Interim Policy and approve it for a four week consultation process (until the 30 October).

2.3 The policy, and brief supporting text, as circulated for consultation, advised:

East Devon District Council – Consultation Draft of:
Interim Rural Departure Site Policy for Mixed Affordable and Market Housing -
October 2009

East Devon District Council is critically aware of the lack of affordable housing in the District and the low levels of affordable housing constructed in recent years. On the 22 September 2009 the Development Management Committee of East Devon District Council approved a policy (as set out

below) for schemes in rural areas for a mix of market and affordable housing for a four week consultation period. Any revisions to the policy, made in the light of consultation responses, will be presented to council with a view to gaining adoption of the policy for development management (determination of planning application) purposes.

On adoption any planning application submitted to the Council that falls under the terms/coverage of this policy will be reported to the Government Office for the South West as a departure from adopted planning policy. This policy is not part of the East Devon Local Development Framework but taken in conjunction with adopted Local Plan policy will be a key consideration in the determination of planning applications. Where compliant with this interim departure policy the Council will support the application. The interim policy will be subject to a four week consultation period running from the 1 to the 30 October 2009.

Interim Rural Departure Site Policy for Mixed Affordable and Market Housing

Rural departure sites for development of a mix of affordable and market housing will be allowed provided that the following criteria are met in full:-

- (a) The development is well related to and will complement and be compatible with the built form of a settlement.
- (b) The residents of any scheme will have easy walking or public transport access to a range of facilities including a state primary school.
- (c) A local housing needs assessment is available showing a need for affordable dwellings in the settlement and/or in surrounding areas and the open market housing will be of a type (whether by size, form, occupancy conditions or other considerations) that will meet a local need currently under-provided for/unavailable in the locality.
- (d) At least 66% of all dwellings will be affordable in perpetuity and of these at least half will be available as social rented properties.
- (e) Any planning permissions granted under the terms of this policy will be for a period of one year only and the policy will apply (in the first instance and subject to annual review) to the end of year 2010 (unless superseded by an adopted Local Development Framework Policy before this time).
- (f) No open market property/properties may be occupied until at least twice that number of affordable dwellings have been built and occupied.
- (g) The development will be for no more than a total of 15 dwellings.

Any comments on this policy must be in written/emailed format or submitted on-line and will need to be received by the District Council to arrive before **5.00 PM on Friday 30 October 2009**. Comments should be addressed to:

Planning Policy Section, East Devon District Council, Knowle, Sidmouth, EX10 8HL.

Email: ldf@eastdevon.gov.uk or made on line at: <http://eastdevon-consult.limehouse.co.uk/portal>

Please note that comments received will not be treated as confidential and may be published along with the name (but not address) and if applicable organisation of the submitting individual or body in paper and electronic (including web-based) format. Anonymous comments will not be accepted.

2.4 Appendix 1 to this report sets out the proposed changes and also an expanded reasoned justification in the light of comments received. It is the wording of Appendix 1 that is proposed to be considered by Full Council on 9 December 2009.

3.0 The Consultation Process and Representations Received

3.1 Following the 22 September meeting of Development Management Committee, around 600 people and organisations with an email address on the LDF database were emailed to advise of the consultation. In addition all town and parish councils and the Government Office and Devon County Council were written to (in paper format) to advise of the

consultation. Around 55 representations in respect of the Interim Policy have been received generating around 15,500 words of commentary.

4.0 Overview of Representations Received

4.1 Most of the representations received were supportive of the policy. These included two responses (Shute Parish Council and Mrs C Gibbins) that offered unqualified support. Savills applauded the Council for grasping the nettle of rural housing, following a period of a black-or-white concentration on 'sustainable' or 'unsustainable' settlements.

4.2 Most responses offer queries to the policy wording.

5.0 Representations Relating to the Criterion in the Policy

5.1 The table below lists the criterion in the policy, a summary of comments received, as applicable to the criterion, and an officer commentary.

Comments relating to the Criterion in the Policy		
Criterion in Policy	Summary of Comments received	Officer Response
(a) The development is well related to and will complement and be compatible with the built form of a settlement.	<p>There were comments on this criterion that considered it to be constraining and others suggesting it was not constraining enough.</p> <ul style="list-style-type: none"> Savills, acting for the Escot Estate and the Sidbury Manor Estate, said the criterion must be used in a positive way and it would be a mistake to consider that any proposal must adjoin a settlement boundary. Consideration that the criterion was appropriate 'Sensible'; 'Fully support and agree'; 'It would be helpful if the Policy were to clarify that such sites will be at small towns and villages in a rural area'; 'Any permission should have conditions relating to the policy'; 'Development may be acceptable even though not compatible with the built form of the settlement'; 'a rigid interpretation might preclude eco-housing'; 'Crucial'. <p>Talaton Parish Council are concerned that such development should not adversely affect existing residents, such as by backing onto their curtilages.</p>	<p>The criterion in the policy aims to ensure that development is physically close to existing houses and buildings in a village but not necessarily abutting that village. In some cases the built form and character of a village (and potentially suitable development sites) might indicate that development would work best where it abuts existing built-up areas. This is, however, not always the case and it may be that in some villages a more spread out or spacious pattern of development is appropriate. Policy does not seek to determine a specific design solution and site choices but rather places the onus on securing intelligent well thought out schemes that take into full account the characteristics of their setting and surrounding areas. Other Local Plan policies already emphasise these points.</p>
(b) The residents of any scheme will have easy walking or public transport access to a range of facilities including a state primary school.	<p>General support, especially regarding access to public transport. Noted that road safety for pedestrians is not the same as 'easy walking distance'. It was suggested that it could be amended to refer to 'easy and safe walking to a range of facilities or public transport access to them'.</p>	<p>The criterion did not aim to define specific walking distances as it is felt that this issue can be best judged at a planning application stage. In most cases if new dwellings are close to the existing built-up areas of a village they will typically be relatively close to the facilities that a village offers. It is noted, however, that lack of footpaths in a village or hilly terrain can limit pedestrian accessibility. In redrafting this criterion reference to walking distance has been deleted. The onus has shifted toward referring to the importance of appropriate settlements having a Built-up Area Boundary (as defined in the adopted Local Plan and/or a secondary school).</p>
(c) A local housing needs assessment is available	<p>Generally respondents were supportive of this criteria pointing out that new provision should relate to an identified need. Has a housing needs assessment been undertaken for all areas? Users could be linked</p>	<p>Because the position statement aims to provide affordable housing it is essential for there to be evidenced need for this type of provision. However it would be hoped that</p>

Comments relating to the Criterion in the Policy

Criterion in Policy	Summary of Comments received	Officer Response
<p>showing a need for affordable dwellings in the settlement and/or in surrounding areas and the open market housing will be of a type (whether by size, form, occupancy conditions or other considerations) that will meet a local need currently under-provided for/unavailable in the locality.</p>	<p>to an up to date web page with local needs assessments so that, in view of the short 1 year limit, the areas of need are clearly known and accepted. Seeks to deliver small-scale developments to meet identified housing needs and seems to be consistent with Policy C of the emerging RSS and therefore in broad terms to be in general conformity with draft and emerging RSS. What does 'local' mean: less than 10 miles? Within East Devon?</p> <p>There is considerable need for accommodation for those who wish to 'downsize' but not leave their area, or give up responsibility for gardening and house maintenance, and who would like flats.</p> <p>The affordable housing should be available only to locally born people or those with local connections; there should be some reference to the availability of local jobs.</p> <p>The policy should make it clear that houses on the site should be of similar size, nature and quality, not with 'four small affordable terraced houses and two huge free market mansions'.</p>	<p>a need can be established without very detailed and extensive needs assessment. Therefore it is felt appropriate to allow some flexibility on how the needs of an area is evaluated.</p>
<p>(d) At least 66% of all dwellings will be affordable in perpetuity and of these at least half will be available as social rented properties.</p>	<p>Several respondents are unhappy with the 66% affordable housing proposal, considering that it would be unrealistically high and deter potential developers. Savills argue that 'hope value' keeps land off the market, and landowners will know that long term policy may change in their favour. Shared equity, social rented and market housing should be interspersed, to help ease integration. Dr A Jennings believes that the 66% would be open to negotiations and less than that would be accepted to avoid withdrawals. Genesis Town Planning consider that the figure should be flexible, with open book appraisals in respect of viability.</p>	<p>The statement is primarily targeted at securing affordable housing provision hence the justification for a high affordable housing target. On readily developable sites and where social housing grant is available it should pay for the affordable housing component of any scheme. In these circumstances the one third open market component will ensure the land has a substantially higher than agricultural land value. On this basis the percentage figure is deemed appropriate. That is not to say, however, that a prospective developer could not propose a scheme and seek to argue that an alternative mix is appropriate (a prospective developer can do this at any time anyway!).</p>
<p>(e) Any planning permissions granted under the terms of this policy will be for a period of one year only and the policy will apply (in the first instance and subject to annual review) to the end of year 2010 (unless superseded by an adopted Local Development Framework</p>	<p>Limiting permissions to 1 year and only permitting them until the end of 2010 caused several objections, partly on the grounds of the time needed to work up, submit and receive permission for schemes; the usual 3 years was considered more reasonable. One respondent favoured commencement, but not necessarily completion, within a year; illogical to ignore the Government's acknowledgement that even 3 years can be problematical.</p>	<p>Whilst the challenges of a one year permission are noted what is proposed is an interim position only and it is considered that if realistic proposals exist then potential developers should be able to make appropriate progress to this time frame. This would allow for an application to be submitted in year one and development to start in years one and two.</p>

Comments relating to the Criterion in the Policy		
Criterion in Policy	Summary of Comments received	Officer Response
Policy before this time).		
(f) No open market property/ properties may be occupied until at least twice that number of affordable dwellings have been built and occupied.	This was queried by more than one respondent, on the basis that if the affordable housing has been completed and handed over to a housing association, say, it would be unreasonable to delay the sale and occupation of the open market properties; alternatively, that the affordable housing may be out of the landowner's control – the criterion should relate to the completion of the affordable housing. Any potential developer will only proceed if he expects a profit, and the cash flow restriction could discourage potential developers.	The policy seeks to ensure that affordable dwellings are completed and occupied. However it is accepted that once completed, so long as done in a manner acceptable to a Register Social landlord or other affordable housing provider then the onus will rest on the provider to ensure occupancy. Therefore it is proposed that the criterion is modified to refer to 'completed' only.
g) The development will be for no more than a total of 15 dwellings.	Several respondents queried the limitation of the policy to a maximum total of 15 dwellings, principally on the grounds that if local needs assessments indicated a greater requirement, there would be no good reason to resist it, if environmental and technical considerations allow. The limit should not in any case preclude further proposals on adjacent land, and such development should take account of any village (parish) plan.	The statement is not seeking to allow or provide for larger scale development in rural areas, to do so would place it in conflict with Local Plan strategy. Rather it seeks to provide more flexibility than the Local Plan currently offers but still ensuring that the policy thrust and strategic objectives of the Local Plan are still met. It is considered inappropriate to amend this criterion.

6.0 Representations Relating Issues Not Addressed in the Policy

6.1 In addition to respondents querying the criteria in the policy there were also some respondents that questioned issues not highlighted in the criteria. The key themes are tabulated below.

Comments Relating to Subject Areas Not Addressed in Criterion to the Policy		
Other Issues Raised	Summary of Comments received	Officer Response
Environmental Issues	Concern was expressed that the policy could lead to substantial development in rural areas with resulting environmental damage. In particular it was considered that agricultural land and allotments should not be sacrificed and the AONBs should be even more stringently protected (although one person argued the opposite that AONBs are over-protected).	It is important to recognise that the statement needs to be considered alongside the Policies of the Local Plan (and other higher tier policies). Existing Local Plan policies afford protection to environmental and other key assets and will be of clear relevance in the determination of applications.
Employment	Concern was expressed about lack of reference to employment provision being linked to new housing and housing provision.	Whilst employment issues are important the lack of affordable housing is the key 'driver' behind this policy and it would be inappropriate to seek to link it to affordable housing provision.
In-migration	Concern expressed that the policy would lead to increased in-migration into East Devon.	The objective would be to ensure that any new affordable housing is linked to meeting a local need. In practice new affordable housing in rural areas is typically made available for local people. It is acknowledge, however, that under housing law and social housing provider practice instance may occur where this is not possible/ followed.

7.0 'In-Principle' Objections to the Policy and Legal Consideration

7.1 There were a limited number of 'in principle' objections to the policy. Officers of Devon County Council expressed a number of concerns about the policy and their submission is reproduced in full below:

"Devon County Council response to Consultation Draft

Thank you for the opportunity to comment on the Interim Rural Departure Site Policy.

The County Council recognises that the issue of affordable housing delivery is a major concern in some rural settlements and recognises that the advancing of departure sites can play a role in facilitating the delivery of affordable housing. However, the proposed Interim Policy introduces the concept of using "departures" in addition to "exceptions" in Local Plan Policy H4 and applying very different criteria. In this context, Devon County Council Officer comments about the Interim Policy are:

1. In strategic planning terms there are concerns about the impact the proposed Interim Policy approach would have in undermining the emerging Regional Strategy and still current Structure Plan policy objectives.

2. The advancing of departure sites needs to be done:

a) Within the context of the LDF process - so sites should have been identified as having potential previously and also been subject to a degree of community consultation i.e. sites are 'advanced' or 'accelerated' through the process rather than the apparent invitation to put forward departure sites anywhere in the district, which is what is implied in the East Devon version. East Devon should be looking first to their potential land supply for allocation.

b) With the evidence that it is required set out clearly - what could be done to advance allocated sites for e.g. the nature of need in the rural areas that justifies rural departure sites via the exceptions route?

c) Clearly related to housing need/HMA outputs

d) In the context of a preferred strategy for dealing with rural areas i.e. still within the framework of settlement policies.

4. The introduction of an ah-hoc policy, even as an interim measure, will create a precedent that could undermine the development plan and its objectives if applied throughout the county and the rest of the region, as it would appear to encourage what could be a number of departure planning applications [each being referred to the Government Office].

5. The legality of such an interim policy in terms of its role as a 'key consideration' in the determination of a planning application need to be established.

6. The policy may prejudice the effectiveness of the development strategy and rural policy as expressed in adopted Development Plan documents. The policy appears to replace rather than be in conjunction with the adopted Local Plan policy, since there are fundamental differences between the two, not least in terms of establishing clearly to which settlements each policy approach applies. Instead it seems to be a new policy allowing open-market housing in rural areas contrary to Structure Plan Policy (such as Policy ST16 Local Centres and Rural Areas, Policy CO3 AONBs, Policy CO4 AGLV, and Policy CO4 CPA) and similar emerging Regional Spatial Planning Policy

7. The Local Plan Policy and the Interim Rural Departures Site Policy are two 'key considerations' that seem to be contradictory and does not give clear and concise guidance, e.g. does LP policy apply only to "Affordable Housing only" applications and not the affordable housing part of the interim policy, with the result that both are determined on different, and in the case of LP, more stringent criteria.

8. Looking at the proposed policy criteria in more detail:

a) There is no indication as to what indicators will be used to judge when it is appropriate to terminate the policy - house prices, completion rates etc, take up of allocated sites etc.

b) Some of criteria are open to widely varying interpretation without measurable guidelines e.g. the residents will have 'easy' public transport access to a 'range of facilities'

c) Bullet point (c) appears to base the approval of open-market housing on a particular view of 'local need' rather than the HMA. "Local need" assessment for open market housing is a difficult concept to explain or justify - does it just mean demand?

d) Bullet point (e) allows for a short-term approach with an emphasis on speed of delivery rather than quality or policy, setting aside well established principles of sustainable development.

e) The renewal of applications for after one year would be difficult to defend [quite apart from the legality of the position]

f) With regard to Bullet point (f) this aspect of the policy would be difficult to justify or enforce once the dwellings have been constructed.

In conclusion, Devon County Council Officers have serious concerns about the approach being suggested and the impact this could have on the emerging Regional Strategy and still current Structure Plan policy objectives.

We would be happy to discuss the issues raised in greater detail if it would help in taking the process forward."

7.2 However the South West Councils were supportive and in the final paragraph of their submission advised:

"The RPB notes the intention of the District Council to apply this draft policy when referring such applications to the Government Office for the South West as a departure from adopted planning Policy. In our opinion it would be helpful if the policy were to clarify that such sites will be at small town and villages in rural areas - which is implied in clauses (a) and (c). As the policy seeks to deliver small scale development to meet identified housing needs, particularly affordable housing, it would seem to be consistent with policy C of the emerging RSS and therefore in this context would in broad terms be in general conformity with the draft and emerging RSS."

7.3 In adding the reasoned justification to the statement and also through making minor amendments the intent has been to ensure that wording used accords with the broad thrust of Local Plan policy and the strategic themes that underpin the Local Plan and also higher tier policies including the adopted Structure Plan and emerging Regional Spatial Strategy policy. It is envisaged that further refinement of the statement, before Full Council consideration, might be applicable to pull it more in line with Devon County Council officer comments and others raising similar concerns.

7.4 Other responses covered a range of issues as tabulated below:

Comments Relating to 'In-Principle' Acceptability of Policy and Legal Issues		
'In-Principle/ Legal Issue	Summary of Comments received	Officer Response
Issues Relating to Five Year Land Supply	The view was expressed that a major concern in the District was the lack of five year housing land supply and this should be the focus for attention.	It is recognised that this initiative might not make significant impacts in respect to shortfall on land supply. However it should not cause any harm.

Comments Relating to 'In-Principle' Acceptability of Policy and Legal Issues

'In-Principle/ Legal Issue	Summary of Comments received	Officer Response
Legal Issues Surrounding Policy Formulation Process	<p>It was suggested that there is no legal basis behind the policy. It was pointed out that it ran counter to Paragraph 6.4 of PPS12 which advises that:</p> <p><i>"District/borough/city councils should not produce planning guidance other than SPD where the guidance is intended to be used in decision making or the coordination of development. This could be construed as wishing to circumvent the provisions for consultation and sustainability appraisal which SPDs have. This excludes assistance to applicants on how to make planning applications, which would not constitute SPD."</i></p>	<p>If the application of this policy were to be challenged it could be on the this matter that challenge would be made. It is for this reason that in the revised wording it is made explicitly clear that it is not to be called Policy but rather a position statement.</p>

Legal Issues Raised in Submissions

- 7.5 The Senior solicitor has provided the 'legal implications' text below. Further to these comments and issues raised in representations there would appear to be two legal areas for consideration.
- a) The first is in respect to the policy making process.
 - b) The second relates to the application of the position statement.
- 7.6 With respect to the first one we are not seeking to change Local Plan policy and not going through any formal processes in respect of LDF production or Supplementary Planning Document production. Rather we are saying that we as a Council will respond to applications in a different way and that as a material consideration we will favourably consider applications on the edges of villages (outside Built-up Area Boundaries) where they will help with affordable housing delivery. In order to avoid confusion it is proposed that we don't call it 'policy' but instead a 'position statement'.
- 7.7 The second may be more challenging and it raises the question of what happens if we grant permission under this position statement and an aggrieved neighbour challenges us through the courts arguing that we are acting contrary to Local Plan policy and making decisions in a perverse manner. Under this type of scenario a starting point would be to recognise that we have determined an application for development (as a departure) in the normal way and taking into account relevant material planning considerations (notably need for affordable housing provision).

Legal Implications

The representative from PCL Planning, referred to in section 6 of the report, makes relevant points in relation to the 'in-principle' objection to the interim policy. The risk for the LPA is that non-compliance with guidance in PPS3 and PPS12 could form the basis of a challenge to the validity of the interim policy on the grounds that the alteration (a) is not within the powers of the planning legislation; or (b) fails to comply with some statutory procedural requirement. The challenge would be brought by way of application to the High Court; if successful, the court would be empowered to wholly or in part suspend the operation of the interim policy, either generally or in so far as it may affect the property of the particular applicant in the proceedings (probably a developer who will have shown standing as an aggrieved person). Furthermore, the court would have power to quash the

interim policy as an alteration to the adopted Local Plan. A challenge under s287 TCPA could not be initiated until after final adoption of the interim policy, if that was the Council's decision, at which point a six-week period for bringing any claim would apply. Any High Court proceedings would inevitably have costs implications, both in terms of instructing suitably experienced Counsel for the LPA, and also in settling any claim should the court agree with the 'in-principle' objection.

Financial Implications

No financial implications are evident from the report.

Background Papers

Non identified.

Matthew Dickins Ext 1540

Development Management Committee

Principal Planning Officer

17 November 2009

Appendix 1 – Revised - Interim Mixed Affordable and Market Housing Position Statement – November 2009

- 1.1 East Devon District Council is aware of the lack of affordable housing in the District and the low levels of affordable housing constructed in recent years. In 2009 the Council approved an Interim Mixed Affordable and Market Housing Position Statement for schemes in rural areas.
- 1.2 **This Position Statement is not part of the East Devon Local Development Framework or the East Devon Local Plan and it does not form supplementary policy to the Local Plan.** However it does highlight factors that will form relevant material considerations which, when taken in conjunction with adopted Local Plan policy and other local, regional and national policy, will inform the determination of planning applications. Where compliant with this statement and the broad thrust of adopted Local Plan policy the Council will seek to support applications. The interim statement recognises that material considerations might make it appropriate to support residential development schemes outside of existing Built-up Area Boundaries. Any decision taken will need to be balanced alongside Local Plan Policy S5 Countryside Protection which places constraints on development outside of boundaries. It should be noted that Local Plan includes a range of policies that cover such issues as landscape and wildlife protection and design standards.

Interim Mixed Affordable and Market Housing Position Statement

Rural departure sites (beyond Local Plan Built-up Area Boundaries) for development of a mix of affordable and market housing will be permissible provided that the following criteria are met in full:-

- (a) The development is well related to and will complement and be compatible with the built form of a settlement.
- (b) The scheme is at/near by a village or settlement with a Built-up Area Boundary and/or with a state primary school.
- (c) A local housing needs assessment shows a need for affordable housing in the settlement and/or in surrounding areas and the open market housing will be of a type or size that is justified through the needs assessment.
- (d) At least 66% of all dwellings will be affordable in perpetuity and of these at least half will be available as social rented properties.
- (e) No open market property/properties may be occupied until at least twice that number of affordable dwellings have been completed.
- (f) The development will be for no more than a total of 15 dwellings.

This statement will apply (in the first instance and subject to annual review) to the end of year 2010. Any application will need to be submitted in 2010 (including outline and reserved matters) and shall be implemented (not just a technical start) within one year of the grant of permission. This shall be formalised as part of the Section 106 agreement.

Any prospective applicant should discuss their proposals (enter pre-application negotiations/discussions) with the Council before submitting an application.

- 1.3 This position statement will apply to rural areas of East Devon. It will not be applicable to the towns listed below and the rural areas abutting these towns:
- Axminster.
 - Budleigh Salterton
 - Exmouth

- Honiton.
- Ottery St Mary
- Seaton
- Sidmouth (including Sidford).

- 1.4 Whilst development beyond existing Built-up Area Boundaries will be permitted it must be in locations that are close to existing villages and their facilities. The statement does not seek to define particular architectural styles, it does not for example prevent innovative or contemporary designs, but it does place the onus on high quality development that complements existing built forms, styles and materials.
- 1.5 To encourage non-car reliant lifestyles (and to recognise that not all people have access to a car) the statement seeks to ensure that residents of any scheme will be able to walk to a range of facilities. Access to a state (including church) primary school is seen as highly desirable given the role of schools as a key community facility.
- 1.6 The statement is built on the basic premise that there is a need for affordable housing. If there is no need then the statement will not apply. A housing needs assessment does not need to be a lengthy piece of work and in many cases needs assessment work may have already been undertaken. Typically the open market housing will be expected to be smaller cheaper housing though this may not always be the case. It could be that specialist types of housing targeted at particular groups of people, for example retirement homes, might meet an otherwise unsupplied need. Flexibility is provided to prospective developers to show how their schemes will meet a need.
- 1.7 The statement is seeking, first and foremost, to deliver affordable housing. Therefore a high affordable housing figure is set. The expectation is that prospective developers will work closely with a housing association (or other social housing provider) to ensure that affordable housing provision occurs. Whilst a formal financial viability assessment has not been undertaken informal assessment suggests that if social housing grant is available it should allow for the affordable housing to be built with nil developer contributions (other than provision of land). This would then leave the open market provision as the element of the scheme that generates the main element of any financial return with this return typically being higher than agricultural land values.
- 1.8 The policy and permission period is time limited in recognition of the fact that it will be superseded Local Development Framework Policy.
- 1.9 To help ensure that affordable houses are actually built there is a constraint that no open market property/properties are be built until at least twice that number of affordable dwellings have been built.
- 1.10 The statement is aimed at provision of small scale schemes. If larger schemes were allowed they could run counter to the strategic aims of adopted Local Plan policy.

Appendix 2 – Full Details of All Consultation Responses Received

(Note – only includes comments on the consultation portal up to midday on 3rd November 2009).

Full Name	Organisation Details	Agent Full Name	Agent Organisation Details	Interim Policy - Please add any comments you have on the 'Interim Rural Departure Site Policy for Mixed Affordable and Market Housing' here:
Mr Malcolm Randall				50% of affordable housing will be more attractive in the market today to developers and would lead to a better social mix.
Mr Michael Crear				It seems odd to me that there is no mention of employment availability in the area where it is intended to build the houses. Surely for housing to be affordable, there needs to be available local employment (unless it is aimed at retired people, wealthy people or benefit claimants). East Devon and particularly its coast is a desirable part of the world in which to live. Hundreds of thousands of people would probably be willing to swap benefits in Birmingham, Manchester, London, Glasgow etc. for a life on benefits by sea in Devon. I am concerned that parts of East Devon will become unemployment ghettos, attracting people on lifestyle rather than employment grounds, like many other seaside towns in Britain. I would also like the housing only to be available to local people. Bringing yet more people into an area like this with little well paid employment does not help local people get houses and decent jobs. Surely that is the problem we are trying to solve isn't it?
Mrs Christine Gibbins				I agree with this.
Mr Peter Gradon				1/ A local need should refer to a proven need within the Village. 2/ No building should take place within an "Area Of Outstanding Natural Beauty". 3/Any building should take into account the visual impact on the Devon countryside.
Mr Nigel Hardy				An excellent initiative for promoting low cost housing for LOCAL people. There needs to be a better balance of interests between the occupier, developer and landowner. The ancillary costs of developing are now so enormous that the proposed one third two thirds split is unlikely to provide much incentive. Something closer to Malcolm Randall's suggestion is required. There is enormous demand in E Devon for retirement flats and this should be recognised in the proposal. Maybe some of the low cost dwellings could be replaced by a community project of direct benefit to the existing settlement. Under criteria (e) the one year period from granting of permission does not seem to allow sufficient time to get the project off the ground. The current 3 year period should be used. And finally criteria (F) does not seem to be at all practical. The last two words "and occupied" should be omitted
Mr Eric Cozens				Paragraphs : [a] OK - Crucial [b] Within the sensible limiting physical characteristics of the settlement. [c] OK [d] Change "will" to "should". [e] OK [f] Change "may" to "should" [g] OK
Mr Alex Graves	Genesis Town Planning			Dear Madam/Sir, I write in connection with the above consultation. Genesis Town Planning wholeheartedly supports the principle of the suggested interim policy, but wish to make the following comments: Criterion (d) should be more flexible. Planning applications should be accompanied by a robust "open book" financial appraisal which demonstrates the level of open market housing required to subsidise the affordable housing. Such an approach may actually result in a greater proportion of the dwellings being affordable, although it may be less in some cases. Criterion (e) stipulates that permissions would only be valid for one year and advises that the interim policy may only be in place until the end of 2010. This would lead to a great deal of uncertainty which, coupled with the costs and time associated with the preparation of a planning application, would be likely to prevent sites coming forward. In order to be consistent with regard to commencement time periods, planning applications dealt with under the interim policy should be treated in much the same way as other applications i.e. 3 years validity. The policy should remain in place until such time as it is superseded by an adopted Development Plan Policy. There also needs to be a mechanism in place to keep developers/housing providers fully informed of the policy lifespan in order to avoid abortive work. Setting the policy threshold at no more than 15 dwellings - criterion (g) - would restrict the number of affordable houses delivered. Larger sites should also be considered under the policy provided there is proven local housing need. Thank you for the opportunity to comment. Would you please keep me informed of progress.
Cllr Rob Longhurst	Lympstone Parish Council			1. The local housing survey is vital in justifying need. This has to be a pre-requisite and should be a part of the Parish/Town Plan 2. No mention is made of existing planning boundaries. Is this policy meant to refer to exclusion sites or sites within existing boundaries? 3. Local Parish/Town councils should be involved in the decision making

				process at an early stage.
Mr Graham Bell	Partner Bell Cornwell Partnership			On behalf of a number of landowning clients who provide for local housing we support the policy as a positive way of bringing forward schemes to assist with rural housing needs. In relation to the following criterion: A local housing needs assessment is available showing a need for affordable dwellings in the settlement and/or in surrounding areas and the open market housing will be of a type (whether by size, form, occupancy conditions or other considerations) that will meet a local need currently under-provided for/unavailable in the locality. Can we suggest that the user is linked to an up-to-date web page that shows the local needs assessment so that given the suggested limited life of this initiative [1 year] the areas of need are clearly known and accepted? Additionally we would suggest that the short life of the scheme may be a deterrent to bringing applications forward?
Ms Shan Merritt				a) Sensible. b) 'Easy walking distance' sounds fine, but in some villages the distance might be 'easy', but road safety for pedestrians (e.g. along parts of the A3052 in Newton Poppleford) is a very different matter. c) Sounds reasonable, but has a housing needs assessment already been undertaken for all areas? d) 66% is a laudable target, but how many developers will be willing to build this proportion of dwellings to hand over to social landlords at low prices? This might be an unrealistic target. e) The one year term sounds short; however if making a start on the development within 1 year is acceptable this would be OK. I suggest that maybe a latest completion date for the whole development should be considered, so that one does not end up with a never-ending building project for a few houses (one of those fill-in-time jobs used to occupy under-utilised employees). f) If dwellings have been completed and handed over to social landlords but not yet occupied, it seems unreasonable to delay the sale/occupation of open market properties. g) This limit seems OK, as long as it does not preclude future developments alongside, if/when applied for.
Mrs Anita Jennings				Interim departure from rural site policy for mixed affordable and market housing The proposed wording contains several subjective elements, e.g. the whole of section (a), parts of (b), parts of (c) . I can foresee that (d) will be open to "negotiations" with officers and less than 66% affordable housing will be readily accepted by the LPA as soon as a developer threatens to withdraw. Similarly (f) may be more flexible in practice than on paper. Section (e) is not 100% clear and could be made clearer by avoiding two subordinate clauses in brackets within a single sentence. The text needs tighter specifications, with the following clauses added:- Do the "settlements" referred to include East Devon's seven towns, whose outskirts are rural ? Yes or No? Evidence that employment is available within easy distance (say 5 miles) of the proposed housing. Evidence of local need by locally born people, or people with a proven local connection. Evidence that no land is available within the built-up boundary (incl. no empty houses that could be converted to meet the proven need for local people) Land with special designations (e.g. AONB, CWL, SSSI, etc) should be excluded . So should high-quality agricultural land, including pasture, orchards, vineyards, (also allotments and other food producing land) . The market housing should be of the same size as the affordable housing (e.g. 3 bedrooms) and to a similar specification. NB The proposed departure from the LDF comes at a time when local estate agents report an increased turnover at rising prices. These trends should stimulate an increase in releasing land for house building . The proposal needs to be strictly limited to the proposed 12 months. From Anita Jennings, Budleigh Salterton
Mr Nigel Hardy				The restriction on open market housing referred to in the second part of (c) seems unnecessary and conflicts with the requirement in (a) for the development to be compatible with the settlement.
Mrs Sandra Semple				(a) it is possible that the development may not be compatible with the built form of a settlement but will nevertheless be acceptable. Sticking to such rigid criteria may mean that suitable modern (say eco) homes may not be acceptable. (b) This only works if you define exactly what "easy walking distance" or "access to public transport" is. Easy walking distance for a woman with a small child and a buggy? Access to public transport once a week? Disabilities? If not defined it is a meaningless statement. "A range of facilities" similarly means absolutely nothing unless defined. (c) What does "local" mean - within the settlement, within 10 miles of the settlement? In the EDDC area? Again meaningless without definition. (d) At least there is definition here! (e) One year is not long enough in the current economic climate. 18 months or 2 years would be more sensible. (f) Again definition makes this more sensible. (f) Why is this limited to 15 dwellings? In some communities there might be need and land available for 20 homes so why should not 20 homes be built. Otherwise - why bother with a housing needs assessment - just let each settlement build a maximum of 15 homes of which at least 10 must fit the affordable criteria.
Mr Shaun Forsyth				I would like to see that any Mixed Affordable and Market Housing properties are built in a pepper pot fashion with open market housing, in an effort to eliminate communities not

		Mr David Seaton	PCL Planning	<p>integrating.</p> <p>Dear Sir/Madam Interim Rural Departure Site Policy for Mixed Affordable and Market Housing We concur with East Devon District Council that part of the response to poor delivery of affordable housing should be a look at the delivery from exception sites. No figures are presented about the level of delivery from such sites in recent years but I suspect that delivery from exception sites has either been very low or non-existent. We support the initiative insofar as it relates to bringing forward sites that would otherwise not be suitable for development (which is the intent of exceptions sites) on the edge of small rural communities, where there is a clearly identified need for affordable housing. However, it must be recognised that this policy approach is contrary to the guidance set out at paragraph 30 of PPS3 which states that such sites should only be used for affordable housing in perpetuity. Moreover, it needs to be clearly understood that any such policy approach should not be confused with the need to maintain a 5 years supply of deliverable land for housing. Where this is not available (as is the current situation in East Devon) then the guidance set out at paragraph 71 of PPS3 has maximum effect. That guidance states that: "Where Local Planning Authorities cannot demonstrate an up-to-date five year supply of deliverable sites, for example, where Local Development Documents have not been reviewed to take into account policies in this PPS or there is less than five years supply of deliverable sites, they should consider favourably planning applications for housing, having regard to the policies in this PPS including the considerations in paragraph 69." In East Devon the adopted Local Plan has an end date of 2011 (i.e. less than 2 years away), the saved structure plan allocates for a supply of new homes to 2016 (i.e. 5 years beyond the current end date of the local plan), and the emerging SWRSS to 2026 significantly increases the supply requirement from East Devon (and that RSS has been accorded significant weight in recent Secretary of State Appeal Decisions). Therefore, it is quite clear that land for market housing should be released on sites outside currently defined development boundaries in accordance with the guidance in PPS3, and in particular paragraph 69. The stated criteria for site suitability in the draft policy demonstrate confusion between these clear, but distinct, strands of Government policy. Many exception/rural departure sites will not, for example, be within easy walking distance of a state primary school if housing needs have been identified in small villages. As paragraph 69 of PPS3 makes clear - if criterion (b) is met then the site is probably related to a larger village and could well be a sustainable location of new housing. Examples of villages that could be considered as sustainable locations for housing growth per se could be West Hill, Whimple, Feniton, particularly bearing in mind the lack of deliverable supply from this part of the district. Furthermore the status of this policy is dubious. It cannot be Supplementary to a policy in either the Saved Local Plan or the emerging Core Strategy. It is not legitimate practice to alter existing adopted policy other than via the Core Strategy process (which is open to examination). The policy therefore appears to fall foul of paragraph 6.4 of PPS12 and the relevant case law on this subject. Conclusion The proposed policy, as currently worded, is a misnomer. It is suggested that the solution to the identified issue (lack of housing supply, including lack of affordable housing supply) should be addressed by a revised exceptions policy and the application of PPS3 guidance to suitable sites, particularly in the western part of the district. Kind Regards.</p>
Mr Dan Jelly	Secretary West Hill Residents Association			<p>Sir Thank you for your communication dated 30th Sept 2009 relating to Interim Rural Departure Site Policy for Mixed Affordable Housing'. As stated in the West Hill "Village Design Statement", supported strongly by HMI Planning, West Hill is unique among rural villages and we of course seek to preserve this uniqueness, without in any way appearing to ignore the urgent need in the locality generally for mixed affordable housing. The Management Committee of the West Hill Residents' Association has discussed at length your consultation document related to the above and would like to comment as follows. Whilst appreciating the urgent need generally for affordable housing, and after discussions with concerned residents, it appears that our specific need is for appropriate accommodation for those wishing to "downsize" but not wishing to move to Sidmouth or other nearby villages. The only parcel of land which responds strongly to our criteria is the Cooper Trust Land opposite the West Hill Supermarket. Apart from this parcel of land there appears to be no other which lies within the designated area consequently we find ourselves unable to respond positively to your stated criteria. Dan Jelly, Chairman. West Hill Residents' Association Ralph Gray Planning Link. West Hill Residents' Association</p>
Mrs M Thomas	Clerk Shute Parish Council			<p>Interim Rural Departure Site Policy for Mixed Affordable and Market Housing Shute Parish Council would like it recorded they support the interim affordable/market housing development policy for rural areas. Regards, Mary Thomas, Clerk to Shute Parish Council.</p>
Mrs M Thomas	Clerk Colyton Parish Council			<p>Colyton Parish Council wish for it to be noted they object to the Interim Rural Departure Site Policy for Mixed Affordable and Market Housing. The Parish Council feel the District Council should be totally committed to Exception Sites for 100% Affordable Housing.</p>

				Mary Thomas, Clerk
Mrs A M Down	Clerk Talaton Parish Council			Interim Rural Departure Site Policy for Mixed Affordable and Market Housing . Comments from Talaton Parish Council 1. The title of the Policy is very cumbersome. Perhaps a simpler and more descriptive title might be formulated which had some chance of being understood by other than those close to planning matters. 2. Add to Para.(b). easy and safe walking to a range of facilities or to public transport access to such facilities. 3. Add to Para. (d). " Shared Equity, Social Rented and Market Housing properties should be interspersed so that none of these types form a discreet block of solely one type." (Reason: To avoid creating a quasi ghetto of any particular type.) 4. Add a Para. (h). " Any development must comply with the relevant parts of any village plan and formal update thereto." (Reason: So that the wishes of the rural population are observed) 5. Add a Para. (i). "Any development outside the built up boundary must not adversely impact on existing properties in the village. In this context, proposed developments, outside the built up boundary, which back onto the curtilage of existing properties, will not be allowed." (Reason: This should prevent peoples homes being blighted by developments which are too close. Given the presumption of development with in the built up boundary, which are often close to existing properties, it was felt that this policy would be unworkable in that situation.) 6. Add a Para. (j). " Any permission granted, will have as formal conditions, the terms of this policy in respect of Paragraphs (a), (d), (f), (g), (h) and (i). (Reason: To ensure that any development granted planning permission is developed in accordance with the policy and remains subject to the policy)
Mr Nigel Vaughan-Smith				Thank you for the opportunity to comment on the Consultation Draft of the Interim Rural Departure Site Policy for Mixed Affordable and Market Housing dated October 2009. I fully support the need for such a policy and in particular the requirement to provide more affordable housing in our rural areas. To that end, I agree the criteria clauses (a), (b), (c), (e) and (f), as listed in the subject draft document. However, clause (d) causes me some concern as to practicality. Firstly, I had understood that the term "affordable housing" was the politically correct term for "social rented properties". Therefore, I fail to see the distinction between the 50/50 split proposed in this clause. If the "affordable" properties are to be sold, they then automatically become open market housing and the phrase "affordable in perpetuity" is unachievable. If on the other hand the intent is shared ownership with some "housing association", then I understand the intent of this clause. My concern then is over the final ownership of the 66%. Which organisation is going to pay the developer the market value for this 66%, and then maintain and manage them "in perpetuity"? If the developer is expected to undertake this task, then I suggest this interim policy will not work, as I cannot see any developer wishing to proceed under these terms. I have a similar concern of practicality over clause (f), which is closely allied to my comments on clause (d) above. Any potential developer will only proceed if he expects to make a profit out of his investment. The constraint imposed by this clause could well cause such a cash flow restriction in the initial stages of the development as to discourage a developer from proceeding in the first instance.
Cllr Mike Green				The policy should include a guidance based on the statement below Any of the houses on the site must be of a similar size and nature i.e. not 4 small affordable terraced houses and 2 huge free market mansions
Escot Estate	Escot Estate	Mr Neal Jillings	Savills (Exeter)	Interim Rural Departure Site Policy for Mixed Affordable and Market Housing - October 2009 Savills acts for many rural landowners within East Devon and we, in principle, support the interim policy on rural housing. East Devon District Council is to be applauded for grasping the nettle of rural housing following a long period of planning where the locational policy has boiled down to a simplistic black and white argument where existing town have been deemed 'sustainable' and villages and rural areas deemed 'unsustainable'. This misguided approach cannot and should not continue if we are to plan adequately for all areas, rather than an approach of an overt focus on the larger urban areas. The recent report compiled by Matthew Taylor MP obviously tackled this thorny issue and made some critical comments of the current planning regime regarding how it deals with rural housing. The exceptions policy has obviously been in existence for some time and can aid delivery of affordable housing. However, what is actually delivered through this policy is a fraction of what is required. There is an inbuilt assumption that, as the land value associated with affordable housing is higher than agricultural land value, land owners will be incentivised to release land for affordable housing. Again, this falls down in being overly simplistic. Dealing with farmers and rural landowners on a day to day basis, the hope value they often attach to land is out of proportion with the hope value that planning policy officers think they should attach to their land. Many landowners will hold on to land, that may be suitable for an exceptions site, in the knowledge that in the long term policy may change. Dealing with the individual criteria, our comments are as follows; (a) We support the sentiment in this criterion, provided that it is used in a positive way. A proposal could be well related to a settlement, but may not be immediately adjoining an existing settlement boundary. Although not specifically

				<p>defined, it would be a mistake, in our view, to consider that any proposal has to be adjoining an existing settlement boundary. The policy could be improved by a tighter definition on this issue. (b) We support this criterion, especially the recognition that a proposal could be acceptable if there was good public transport access. (c) We support this criterion. Any proposal must relate back to an identified need. (d) This may contradict criterion c in that it is overly prescriptive, especially on the tenure split. In our view, it is sufficient to state that the provision should relate back to the need. This is not to say that we disagree with at least 50% being social rented, indeed many RSLs are keen to avoid intermediate at present, but we see little benefit in stating this when the previous criterion relates provision back to need in any event. We also consider that the requirement for at least 66% is overly prescriptive. If the interim policy is predicated on the need to deliver affordable housing in rural areas (with an acceptance that allowing some open market will enable this delivery), greater flexibility should be built in to the policy wording. A requirement for 66% may still mean that some proposals would be unviable and, therefore, undeliverable, however, a slightly reduced proportion may overcome this drawback. Decisions on applications should, in our view, be made on "open book" evidence and assessed on a case by case basis. If it can be demonstrated that the level of open market dwellings does not, in fact, generate sufficient value to enable the affordable element, a lower proportion of affordable may be accepted so long as this is consistent with the overall spirit of the policy. The percentage requirement should therefore be removed to ensure that the inflexibility in the policy does end up being self-defeating. (e) We do not support this criterion. The recent amendments to allow an extension of planning permissions was in recognition of the fact that the reduced time limit of three years (down from five) was proving problematical. We appreciate that this limit is being imposed in very specific circumstances, but the principle must remain that if the Government has recognised the problem associated with a time limit of three years, to impose a one year time limit within which to make a start is illogical. Given the expense and time associated with making a planning application, this criterion is likely to actively act against applications coming forward. Given the desire to increase delivery of affordable housing in rural areas, we question this. In our view, there is no need to limit the permission so harshly and it should be three years as per other applications. (f) We can understand the need for this criterion given the thrust of the policy wording and have no objection in principle of tying the occupation of open market housing to the delivery of affordable housing. However, we do object to the need for the affordable housing to be occupied before the open market housing is made available as this may be out of the applicants control. We therefore recommend that the occupation of open market housing is tied instead to the completion of the affordable dwellings. (g) We are unclear as to why an arbitrary and unnecessary limit of 15 dwellings has been applied to the draft policy. If, for example, there was a substantial need for affordable housing in a particular settlement and a site, which was considered acceptable from an environmental and technical perspective, came forward for 20 dwellings (and therefore delivered 13 or 14 affordable units), then it would be illogical to refuse permission purely because of size of the development. We recommend that either this threshold is removed entirely, or the scale of a development is restricted to ensure that it is commensurate with the scale of the settlement to which it relates.</p>
Mrs Slade				<p>Dear Sirs, There is a definite need for affordable and social housing for local people who live and work in East Devon and I support your new policy. There is a need to ensure that the affordable housing is well designed and goes to proven local people. Thank you for asking for my comments. Interim Rural Departure Site Policy for Mixed Affordable and Market Housing My comments on your Criteria are: (a) (b) & (c) All good intentions which should be praised. Will they be adhered to and used in a positive way? (d) I question whether the 66% affordable housing will be an attractive proportion to a developer and provide them with sufficient incentive. In addition, 66% affordable housing would appear too high a proportion to make the marketable housing (5) attractive to purchasers. The more usual split is 40% Affordable and 60% marketable. (e) OK (f) The stipulation that 2 affordable/social dwellings are to be occupied prior to the sale/occupation of a market dwelling is putting a large restraint on the developer. (g) The 15 dwellings (5/5/5) should be well integrated on the site. Yours sincerely, Gillean Slade</p>
Miss Rachael Bust	Deputy Head of Planning and Local Authority Liaison The Coal Authority			<p>Thank you for consulting The Coal Authority on the above. Having reviewed your document, I confirm that we have no specific comments to make on this document at this stage. We look forward to receiving your emerging planning policy related documents; preferably in an electronic format. For your information, we can receive documents via our generic email address planningconsultation@coal.gov.uk, on a CD/DVD, or a simple hyperlink which is emailed to our generic email address and links to the document on your website. Alternatively, please mark all paper consultation documents and correspondence for the attention of the Planning and Local Authority Liaison Department. Should you require any assistance please contact a member of Planning and Local</p>

Mr Neal Whitehead	Senior Policy Advisor South West Councils			<p>Authority Liaison at The Coal Authority on our departmental direct line.</p> <p>Dear Sir / Madam East Devon District Council Interim Rural Departure Site Policy for Mixed Affordable and Market Housing Under the 2004 Planning and Compulsory Purchase Act and accompanying Regulations the South West Strategic Leaders' Board (the executive arm of South West Councils), as the Regional Planning Body (RPB), has the role in assessing the general conformity of Local Development Framework (LDF) documents with the Regional Spatial Strategy (RSS). It has also the duty to respond to strategic planning applications and pre-application proposals and to assess if they would impinge on the delivery of the RSS. It also responds to consultation received from local authorities and developers on such issues (within the parameters set out in the Act and Regulations). The current RSS is RPG10 but you will also be aware that the new RSS is being produced. The Examination in Public (EIP) of the draft RSS (dRSS) closed on 6 July 2007 and the Panel Report was published in January 2008. The evidence base behind the emerging RSS can be considered as a material consideration and will carry greater weight the closer to publication the RSS gets. The Secretary of State's Proposed Changes to the draft RSS were published on 22 July 2008 and public consultation closed on 24 October 2008. The draft RSS is the RPB's agreed strategic planning position; however, the Proposed Changes clearly set the planning policy framework for the region. Although the RPB may not agree with some of the modifications made in the Proposed Changes, it is important to note that the Government's Proposed Changes now carry very significant weight as a material consideration, and must be taken into account when assessing LDDs and planning applications. Comments The RPB notes the intention of the District Council to apply this draft policy when referring such applications to the Government Office for the South West as a departure from adopted planning Policy. In our opinion it would be helpful if the policy were to clarify that such sites will be at small town and villages in rural areas - which is implied in clauses (a) and (c). As the policy seeks to deliver small scale development to meet identified housing needs, particularly affordable housing, it would seem to be consistent with policy C of the emerging RSS and therefore in this context would in broad terms be in general conformity with the draft and emerging RSS. I trust that you have found these comments useful and look forward to seeing the document at the next consultation stage. Please let me know if you need any further information.</p> <p>Yours sincerely</p>
Sidbury Manor Estate	Sidbury Manor Estate	Mr Nick Matthews	Savills (L&P) Ltd (Bristol)	<p>East Devon District Council Interim Rural Departure Site Policy for Mixed Affordable and Market Housing - October 2009 Savills acts for many rural landowners within East Devon and we, in principle, support the interim policy on rural housing. East Devon District Council is to be applauded for grasping the nettle of rural housing following a long period of planning where the locational policy has boiled down to a simplistic black and white argument where existing town have been deemed 'sustainable' and villages and rural areas deemed 'unsustainable'. This misguided approach cannot and should not continue if we are to plan adequately for all areas, rather than an approach of an overt focus on the larger urban areas. The recent report compiled by Matthew Taylor MP obviously tackled this thorny issue and made some critical comments of the current planning regime regarding how it deals with rural housing. The exceptions policy has obviously been in existence for some time and can aid delivery of affordable housing. However, what is actually delivered through this policy is a fraction of what is required. There is an inbuilt assumption that, as the land value associated with affordable housing is higher than agricultural land value, land owners will be incentivised to release land for affordable housing. Again, this falls down in being overly simplistic. Dealing with farmers and rural landowners on a day to day basis, the hope value they often attach to land is out of proportion with the hope value that planning policy officers think they should attach to their land. Many landowners will hold on to land, that may be suitable for an exceptions site, in the knowledge that in the long term policy may change. Dealing with the individual criteria, our comments are as follows: (a) We support the sentiment in this criterion, provided that it is used in a positive way. A proposal could be well related to a settlement, but may not be immediately adjoining an existing settlement boundary. Although not specifically defined, it would be a mistake, in our view, to consider that any proposal has to be adjoining an existing settlement boundary. The policy could be improved by a tighter definition on this issue. (b) We support this criterion, especially the recognition that a proposal could be acceptable if there was good public transport access. (c) We support this criterion. Any proposal must relate back to an identified need. (d) This may contradict criterion c in that it is overly prescriptive, especially on the tenure split. In our view, it is sufficient to state that the provision should relate back to the need. This is not to say that we disagree with at least 50% being social rented, indeed many RSLs are keen to avoid intermediate at present, but we see little benefit in stating this when the previous criterion relates provision back to need in any event. We also consider that the requirement for at least 66% is overly prescriptive. If the interim policy is predicated on the need to deliver affordable housing in rural areas (with an acceptance</p>

				<p>that allowing some open market will enable this delivery), greater flexibility should be built in to the policy wording. A requirement for 66% may still mean that some proposals would be unviable and, therefore, undeliverable, however, a slightly reduced proportion may overcome this drawback. Decisions on applications should, in our view, be made on "open book" evidence and assessed on a case by case basis. If it can be demonstrated that the level of open market dwellings does not, in fact, generate sufficient value to enable the affordable element, a lower proportion of affordable may be accepted so long as this is consistent with the overall spirit of the policy. The percentage requirement should therefore be removed to ensure that the inflexibility in the policy does end up being self-defeating. (e) We do not support this criterion. The recent amendments to allow an extension of planning permissions was in recognition of the fact that the reduced time limit of three years (down from five) was proving problematical. We appreciate that this limit is being imposed in very specific circumstances, but the principle must remain that if the Government has recognised the problem associated with a time limit of three years, to impose a one year time limit within which to make a start is illogical. Given the expense and time associated with making a planning application, this criterion is likely to actively act against applications coming forward. Given the desire to increase delivery of affordable housing in rural areas, we question this. In our view, there is no need to limit the permission so harshly and it should be three years as per other applications. (f) We can understand the need for this criterion given the thrust of the policy wording and have no objection in principle to tying the occupation of open market housing to the delivery of affordable housing. However, we do object to the need for the affordable housing to be occupied before the open market housing is made available as this may be out of the applicants control. We therefore recommend that the occupation of open market housing is tied instead to the completion of the affordable dwellings. (g) We are unclear as to why an arbitrary and unnecessary limit of 15 dwellings has been applied to the draft policy. If, for example, there was a substantial need for affordable housing in a particular settlement and a site, which was considered acceptable from an environmental and technical perspective, came forward for 20 dwellings, then it would be illogical to refuse permission purely because of size of the development. We recommend that either this threshold is removed entirely, or the scale of a development is restricted to ensure that it is commensurate with the scale of the settlement to which it relates.</p>
Mr Richard Swann				<p>Response from Newton Popleford and Harford Parish Council -submitted by Cllr. Swann The policy brief lacks scope, definitions and clarity, for instance: What is a "rural departure site"? Does the policy embrace hamlets, villages and towns in a rural setting? Does the policy apply equally to those communities within an AONB? What is the definition of easy walking, is this distance, presence of continuous pavements, etc? There is no minimum number of dwellings considered but based on the arithmetics of the percentage and fractional statements it would appear to be six dwellings. The maximum number of 15 dwellings is considered too low a ceiling and each potential site should be considered on its own merit. The validity period of 1 year for development is considered too stringent especially in the current business/economic climate. It is felt that this period should be in line with the present planning rules. The Policy itself offers little incentive for developers..</p>
Mr Ronald Cattermole				<p>Background My comments are personal and are not intended to reflect those of any other individual or organisation and relate only to my locality. I live in West Hill which is a village of approximately 700 houses and 2000 people about 2 miles from Ottery St Mary. The trickle of development over the past few years has focused, mostly, on more expensive properties (£500K plus). Nowadays some modest properties in large gardens are being demolished to permit much larger dwellings. Reason for Comments Such development does not help younger people to gain a foothold on the West Hill property ladder, nor does it help older residents to downsize into smaller dwellings, particularly those who would like to be free of gardening and maintenance responsibilities by moving into an apartment or even sheltered housing. Older people, well past retirement age, are forced to move into Ottery St Mary, Sidmouth or further afield however much they may want to stay in the community they have grown to love and admire. Policy Change I believe that the implementation of an enlightened 'affordable' housing policy in West Hill could be used to meet the requirements of these two different groups of people. Conditions The consultation draft provides a summary of the numerous conditions attached to the introduction of the new policy, which include the stipulation that 66% of the affordable dwellings must remain so in perpetuity, and of those at least 50% must be available as socially rented properties. Another condition states that the development must be for no more than 15 dwellings. I wonder whether any developer is going to find that the policy change creates a viable proposition? After all, if PPG 3 is applicable (Local Plan Section 5.17), a density of between 30 and 50 dwellings per hectare will be required and that suggests site areas of no more than half a hectare, roughly one acre. In the 2006 Adopted Local Plan (with which this revised policy is to be taken in conjunction with) at section 5.24 'Affordable Housing' is defined as; 'Housing that is available to those</p>

				<p>people who are unable to afford to rent or buy houses generally on the open market. Affordable Housing encompasses rented accommodation, shared ownership and low cost market housing' The quid pro quo for these and other onerous conditions is that under the rural Exceptions Housing Policy as summarised at section 5.41 of the Local Plan it will be possible to consider small sites abutting the BUAB as potentially available for (affordable) housing. Applicability to West Hill Small sites of about 1 acre, towards the centre of West Hill, perhaps abutting the BUAB, to build between 15 and 25 or so dwellings (query apartments), adjacent to transport, school, shops and other amenities. 66% of the dwellings have to be affordable and of those at least half must be social rented properties: of the 15 dwellings; thus, only 5 or 6 might be at market value. At a higher density of 25 the figure would be 11 at market value. Allied to a 12 month period for planning permission validity makes me wonder whether the policy initiative is sufficiently attractive. Will any developer wish to take it up? RJC.</p>
Dr Jonathan Paveley				<p>This has the potential to be a developer's charter in outstandingly beautiful rural areas. There is a need for low cost housing for young local families - unfortunately EDDC's long history of short sighted planning policy has allowed most rural development to be architecturally without merit and not designed for local families (hence the current shortage) - much has been bland modernistic retirement bungalows and "executive" homes for people moving in from urban areas. Neighbouring West Dorset has been much better in this regard. Such affordable developments should only be permitted in smaller groups (max 6 dwellings) within existing village core curtilages to be built within the prevailing local style. Agricultural land should not be sacrificed. AONB areas should be even more stringently protected. Only local working families should benefit and 100% of such schemes should be affordable.</p>
Mr Andrew Wiltshire				<p>I hope this would help provide more affordable housing and could be a good start to help local people get a home. But Mr Crear has a point, and the new allocations and priorities criteria don't seem very clear at the moment. Newly arrived, jobless and homeless, gets a higher banding than 20+ years local struggling working with a family. Try somehow to encourage a greater part-buy proportion? I don't know. Why shouldn't limited development be allowed in AONBs? We can't just leave it to certain towns to take all the developments.</p>
Ms Lisa Tuner	Community Planning Officer Blackdown Hills AONB			<p>Consultation - Interim Rural Departure Site Policy for mixed affordable and market housing This response is made on behalf of both the Blackdown Hills AONB Partnership and East Devon AONB Partnership. The opportunity to comment on this draft policy is welcomed. The Blackdown Hills AONB Management Plan includes the following measure: PD 4/A Support initiatives that provide affordable housing to meet identified needs for local people in locations with access to employment and local services, ensuring that developments conserve and enhance natural beauty, particularly by respecting landscape and settlement character and avoiding impacts on nature conservation and historic interests. The East Devon AONB Management Strategy includes the following policy: P1 Encourage the development of guidelines and design guides to support sustainable development which complements and respects the AONB landscape and historic character. In light of the above, the AONB Partnerships have the following comments on particular aspects of the proposed policy: While the need to provide affordable housing is recognised, this should not be at the cost of other planning considerations and so proposals in the AONBs would require particular care. We therefore recommend that criteria (a) should be amended as follows; The development is well related to and will complement and be compatible with the built form and landscape setting of a settlement and local landscape character. The justification/explanation of the policy should cross reference the Local Plan AONB policy and note that the effect of a proposal being within an AONB might be to reduce the number of dwellings appropriate to a given site (with reference to criteria (g)). There should also be reference to the District and AONB Landscape Character Assessment and Management Guidelines with respect to ensuring development respects setting and character. Criteria (b) is not well defined: one person's easy walking is another's trek. Consider redefining or possibly refer to an assessment model that will be used to judge access/sustainability suitability. On a general note it would be helpful to clarify which settlements this policy will apply to. We support criteria (c) in that a housing needs survey is a prerequisite for the application of this policy, and that this assessment will also determine the type of open market housing. It is unclear whether the affordable housing will be restricted or prioritised in perpetuity for residents with a local connection, as per rural exceptions sites, and this could usefully be clarified. We trust that these observations are helpful to the further consideration of this policy prior to its adoption. Lisa Turner AONB Planning Officer Blackdown Hills AONB Chris Woodruff East Devon AONB Manager</p>
Mrs Jo Vanstone	Clerk Budleigh Salterton Town Council			<p>(a) There are three quoted conditions relating to design of housing. (i) "well related to" is an imprecise jargon term and means anything that planning wish it to mean. Suggest that this is removed from the draft for this reason. See A below. (ii) "will complement" is</p>

				<p>another jargon term with little meaning and should be removed for the same reason. See B below. (iii) "be compatible with" is an acceptable term understood by most. A redraft would read: The development must be compatible with the built form of a settlement and consist of a mixture of housing type. (b) To make the siting of affordable housing conditional upon walking distance from a state primary school or upon the existence of public transport is to assume that such conditions are pre-requisites. Many rural areas in East Devon will be disqualified by this condition. Much better to state that approved affordable housing will be followed by the provision of public transport in areas not within easy walking distance. Anyway, what is meant by easy walking distance? (c) What form does the "local housing need" take and why in this condition does it refer only to "open market housing" and what "other considerations" are required. See B below. (d) So at least 33% of dwellings must be available as social rented properties. Why not say this plainly rather than mix in another 33% of dwellings that must be affordable in perpetuity? How can perpetuity be defined and who (other than the Lord Above) is to be the arbiter for this condition at the planning stage? Why use the term "at least"? Does this mean that there is another proportion that is preferable and is this intended to be a progressive condition upon which planning is decided? (e) No comment. (f) Presumably this condition is intended to safeguard condition (d) and so should be included with (d). (g) No comment. Suggested additional requirements A. Policy for affordable housing should define what the authority considers affordable in terms of the relationship between local income levels and house prices or rents for different types of households. B. Low cost housing schemes adjoining development boundaries will only be appropriate where suitable land does not exist within the development boundary. Proposals substantiated by a needs survey which should be carried out before making a planning application. C. Essentially planning should be about providing for balanced communities, which acknowledge the need for social compatibility.</p>
Mrs Sue Derbyshire	Payhembury Parish Council			<p>INTERIM RURAL DEPARTURE SITE POLICY FOR MIXED AFFORDABLE & MARKET HOUSING COMMENTS FROM PAYHEMBURY PARISH COUNCIL The Council generally has no problem with this policy, making the following comments: 1. The village needs affordable housing for local people 2. The price of the land for market housing may be to the advantage of the parish and if the ratio is 2 for 1 more landowners would possibly be interested 3. We have already done a local needs survey One councillor expressed concern that permissions granted would only be for a 12 month period, compared with the normal 3 years or more.</p>
Mr D Morgan				<p>Dear Sirs, Having taken the opportunity to consult this document, I would like to raise concerns over its actual intentions. Firstly, you do not clearly define what a "rural area" is - are we looking at rural settlements such as villages and hamlets, or rural edges of towns that are currently protected from any form of development? There is clearly a difference here, so I will provide comments for both scenarios. Building in rural settlements such as villages and hamlets: Given recent changes in property ownership trends, many existing properties in smaller villages and hamlets have become occasional use 'second homes' that serve no immediate benefit to the vitality or economy of these parishes. The provision of affordable housing would alleviate some of the social and housing issues so prominently identified by academic research and Government-led initiatives. However, the provision of "at least 66% of affordable housing in new development" is perhaps not sufficient in some parishes that suffer from the added problem of high property prices. I would suggest this figure is raised to 70% (seventy percent) to enable more people on low incomes the ability to live in the area where they wish to, due to a variety of socioeconomic factors. However, careful consideration must be given to the impact any such development might have on the rural landscape, particularly if built outside the existing Built Up Area boundary. The Built Up Area Boundary has served, and continues to serve, as an important policy to protect the surrounding landscape of a settlement from development and also prevent existing settlements coalescing into each other. The Built Up Area boundary, together with other pertinent Local Plan and Regional planning policies, also seeks to protect and preserve the natural landscape and environment from undesirable development that would ultimately erode their special characteristics. Any new development must not compromise or conflict with the strength and importance of the Built Up Area boundary and/or other planning policies that seek to protect it. Building on the rural edges of towns: The Built Up Area Boundary seeks to protect the surrounding landscape of existing settlements/parishes from undesirable development that would ultimately erode the special characteristics of the natural landscape, topography and environment. The Built Up Area Boundary also seeks to prevent settlements from coalescing into each other. Clearly the Built Up Area Boundary, together with other Local Plan and Regional planning policies seek to protect and preserve important landscape features of a built-up settlement, and should not be compromised. New development in the form of affordable housing is desperately needed in most towns in East Devon, although greater emphasis must be given to using existing Brownfield sites</p>

				rather than greenfield sites. In a number of towns in East Devon, particularly Seaton, there is a serious deficit in the amount of undeveloped land in the parish (greenfield sites). Any future housing needs must meet the Government's target of using Brownfield sites, in order to protect these undeveloped sites. Building outside the current Built Up Area boundary should not be considered. Any new development must not compromise or conflict with the strength and importance of the Built Up Area boundary and/or other planning policies that seek to protect it. With new build housing development programmes in large towns likely to prove more viable in delivering new affordable housing provision as part of planning obligation requirements, it would be worthwhile that the percentage of new affordable housing is raised to 70% (seventy percent). ENDS (my representations) I trust these comments meet the spirit of the document and will be actively considered by East Devon District Council. Yours faithfully, David Morgan
Mr Steve Jackson	Councillor Awliscombe Parish Council			Thank you for the opportunity to comment on "Interim Rural Departure Site Policy for Mixed Affordable and Market Housing - October 2009". The following comments from Awliscombe Parish Council are in line with and expand on our input to the East Devon Local Development Framework: Issues and Options Consultation from February 2009: We agree with the basic principle and intent of this policy when combined with the points now stated. It is not clear if this policy covers land outside of an existing building boundary. We believe the policy should clearly state that building outside of the existing boundary for a combined affordable and mixed development within a needs assessment is acceptable. This policy does not address AONB, SSSI and other land with a special designation. This could restrict development opportunities. This policy needs to positively address this aspect. Development within the criteria could be granted if no alternative existed and then it could be restricted to one development within the area covered by the needs assessment. Empty properties and conversions need to be part of 'affordable/social housing policy'. New development (Greenfield) is one aspect. Availability for conversion of existing properties or barns should become positive statements in an affordable/social housing policy and should be a consideration, possibly a first option, before granting an application for a new development. Whenever this policy is invoked all affected Parishes or Town Councils should be allowed a positive say in a planning application. Overspill from one area (covered by an assessment need) into another area (also covered by a separate assessment need) requires control to ensure (in the overspill area) a compatibility with the built form of the settlement and to ensure that the overspill's environmental characteristics are not compromised. The assessment needs of an area taking an overspill must also be allowed to continue to be fulfilled. Affordable and social housing needs to be given priority to the families of local people covered by the assessment need. (para. a) While development needs to be well related to existing settlement building, this should not preclude 'eco' differences where these are proven to be essential and without an alternative to existing building characteristics. (para. b) It's desirable to have 'easy' access to transport, facilities and primary schooling, but in many rural areas/communities it may not be possible to combine the word 'easy' with a development opportunity. The exceptions must be a positive consideration within this policy. There is also a need for a better understanding of the word 'facilities'. (para c) A housing needs assessment is developed and agreed between Parish/Town Council and next tier up of local government (planning authority). It also needs to be regularly maintained and easily accessible. This is the crux of this policy, giving real democracy addressing local needs for local people while not excluding those who can afford the 'open market'. It will need to be strictly adhered to by both Parish/Town Councils and the planning authority. (para d) The 66% affordable may not be of sufficient incentive to either a developer or landowner. If the developer can show an 'open book' as to why 66% is not financially viable then a 50 % minimum target could be set as an acceptable bottom line. It would also be desirable to have affordable 'perpetuity' to be linked and or prioritised to the housing needs of existing local people. (para e) A period of one year may not give sufficient time to allow an interim policy to move forward. Two years and 2011 would allow more time and encouragement for land to be identified and confirmed as acceptable (see 3 above), establish the (implied) 'housing association' to manage the properties, establish finance and for Town and Parish Councils to first complete and agree a housing needs assessment. (para f) A developer may feel that this is too restrictive and may be put off from even starting a development. A fully established 'housing association' or other management body could be the only criteria needed in this paragraph. (para g) Limits should be set through a combination of housing needs assessment and available land. For and on behalf of Awliscombe Parish Council Steve Jackson 29 th October 2009
Mr G Cooper	Design Adviser Vision Group for Sidmouth			Dear Sir/Madam, I welcome the invitation to comment and express my concerns on the interim policy. This appears to be a formula for encouraging green field spec development in East Devon based on the need for affordable housing. As presented I fear this is recipe for short term financial opportunism and that such a suburbanisation approach is

				<p>unsustainable and short sighted. It will lead to an incoherent pattern of isolated housing developments with no community infrastructure which are only accessible by private vehicles promoting an obesogenic environment, whilst increasing the carbon footprint and need for healthcare. Within the towns and villages of East Devon there are significant areas of brown field sites which can easily accommodate up to 15 properties. There are for instance considerable areas of parking which would be better suited for mixed development, so it is recommended EDDC first concentrates its efforts in these areas. The core aim of the EDDC local plan is to protect the outstanding natural environment and to make sure any new development is sustainable. Outside the local plan the interim rural housing policy as described will not meet this criteria and also fails to address the local district authorities responsibilities to address climate change the well being of the community. Please confirm receipt of the above comments. Your faithfully Graham Cooper Sidmouth.</p>
Mrs Lynn Parker	Parish Clerk Aylesbeare Parish Council			<p>Here are the comments from AYLESBEARE PARISH COUNCIL Aylesbeare Parish Council takes issue with points (b), (d) and (g) (b) This parish, along with many others in rural locations, does not have a state school. If this is a criterion then the parish will not be able to develop and stagnation in the countryside will follow. The situation may cause an imbalance in the population. (d) The figure of 66% affordable housing is unreasonable and unacceptable. A more realistic figure for affordable housing would be 50%. (g) The permitted total number of dwellings should be increased to 30.</p>
Mrs Victoria Morris	clerk Clyst Hydon Parish Council			<p>INTERIM RURAL DEPARTURE SITE POLICY First off I found the language of the policy statement and preamble so tortuous as to be difficult to understand. So far as Clyst Hydon is concerned, the ill starred Parish Plan set out our thinking about new build housing. These thoughts were the result of consultation with all the electorate by way of a questionnaire sent to every household. I cannot recall the precise details now but I suggest a reference to the plan . Taking the points set out in EDDC's statement for revised housing policy in order:- (a)No argument. (b)Impossible conditions for CH (No or negligible public transport). (c) Consult Parish Plan as above. (d)I do not believe these proportions are achievable. (e) Makes an incredibly tight time frame. (f) I do not believe any developer will be able to meet this demand. (g)See d and f above; the cumulative effect is that for 2 open market houses to be built, 4 affordable ones must have been built and occupied. I do not believe this is feasible. John Symes 12 th October 2009</p>
Mr Jeremy Woodward	Secretary Vision Group for Sidmouth			<p>Interim Rural Departure Site Policy for Mixed Affordable and Market Housing Rural departure sites for development of a mix of affordable and market housing will be allowed provided that the following criteria are met in full:- The Vision Group for Sidmouth has received several representations from members of the public who are concerned that the priority of the District Council should be the provision of affordable housing in accordance with proven local housing need. At a meeting of 23 rd September, where the broad issues were considered, it was agreed that the Vision Group should hold a further public meeting on Friday 30 th October to consider the issues raised at the September meeting in greater depth; and that the Secretary of the Vision Group should submit an application to the EDDC Consultation Draft on the proposed Policy. (a) The development is well related to and will complement and be compatible with the built form of a settlement. 1. The title deals with "rural... housing'. Does "settlement' in this paragraph include the "rural' areas surrounding "urban' "settlements' such as Sidmouth? 2. This paragraph refers to "the built form of a settlement' but otherwise there is no reference made to existing planning boundaries. Does this include or exclude sites within existing boundaries? 3. This paragraph states that any development should be "well related... to the built form of a settlement'. Does this exclude relating ("well' or otherwise) to the non-built form of a settlement, ie, its green belt or the "rural' areas surrounding the settlement? Does this exclude areas with protected designations such as AONB, CWL or SSSI; and high-quality agricultural land, such as pasture or market gardens/allotments? Does this take into account the option of establishing "green wedges or corridors' between the development and the "built form' of the already-established settlement? Does the "Council expect developers to meet the highest standards of the government's code for sustainable homes, [including] a range of standards in terms of energy use, insulation, water use, materials, surface water run-off and waste?' (27/07/2007, New Builder) 4. This paragraph specifies development which should be "compatible with the built form of a settlement'. Does this exclude, for example, straw-bale housing being situated next to older housing with a large carbon footprint? Will Officers consider the principles of sustainable building championed at Cranbrook for any such future developments? (b) The residents of any scheme will have easy walking or public transport access to a range of facilities including a state primary school. 1. This paragraph does not define "easy walking or public transport access'. Does this entail commitment by the District Council to the maintenance or even improvement of public transport links? 2. Similarly, this paragraph does not define "a range of facilities'. Does this entail commitment by the District Council to the provision of any such facilities,</p>

should they be deemed to be lacking? And which mechanisms are in place to determine what constitutes a "range" of facilities. 3. Finally, this paragraph gives "state primary schools" as an example of "facilities". Does there not exist presently a serious lack in the number of places available in primary schools specifically in Sidmouth? (c) A local housing needs assessment is available showing a need for affordable dwellings in the settlement and/or in surrounding areas and the open market housing will be of a type (whether by size, form, occupancy conditions or other considerations) that will meet a local need currently under-provided for/unavailable in the locality. 1. This paragraph is headed by the definition "local" for "housing needs". Does this refer to those born in or living in the settlement? Does the District Council seek to adopt the policies of other District Councils and restrict such housing to either those born in the settlement or those having lived for a specific period of time in the settlement? (eg: South Hams; West Devon) 2. This paragraph refers to a "local housing needs assessment". How will such an assessment be conducted or made explicit? Will it be on the basis of statistics identifying demand gathered by estate agents or recorded on council-housing waiting lists; or will specially-commissioned surveys be undertaken, applying unambiguous criteria to measure these needs? Does such a process of assessing "local housing needs" fall under the auspices of Town or District Council? 3. This paragraph introduces another touchstone of housing policy: "affordable". Does the District Council have a clear definition of this term? Does the District Council record how previous "affordable dwellings" have fared in the open market once restrictions have been lifted? Will "affordable housing" enjoy the same square meterage as open market housing - ie, of the same size and to a similar specification? 4. By stating that it should "meet a local need currently under-provided for/unavailable in the locality" what is exactly meant by "unavailable"? Does this refer to building land - in which case, is there a current registry of brown-field sites for both rural and neighbouring urban sites? Does this take into full account empty houses available within the built-up area - going beyond the present District Council Empty Homes policy which might be interpreted as too narrow in its remit (concentrating on public housing) and not rigorous enough in dealing with the private sector (compared with other District Councils). (d) At least 66% of all dwellings will be affordable in perpetuity and of these at least half will be available as social rented properties. 1. This paragraph seems unequivocal in its determination that "66% of all dwellings be affordable in perpetuity". Does this commit District Officers to such a minimum quota for all proposed planning applications or will they be willing to negotiate on this figure in order to secure commitment by a developer seeking planning permission for a specific project? Will any such planning applications be automatically rejected should they not comply with this 66% figure? 2. The figure "66%" refers to the number of dwellings and not the area each dwelling will cover. With reference to point 3) under paragraph c), will this allow developers to submit planning applications in which the "affordable" housing quota dwellings are of a substantially smaller size per unit than the "market" housing quota, in which case, their attractiveness for "local" residents will be seriously diminished. The case of "affordable housing" at the development in Stowford, Sidmouth of 6 years ago remaining unsold could be said to illustrate the risk of offering dwellings which are perceived as too small, too cramped and therefore too unattractive for the average "local" family. (e) Any planning permissions granted under the terms of this policy will be for a period of one year only and the policy will apply (in the first instance and subject to annual review) to the end of year 2010 (unless superseded by an adopted Local Development Framework Policy before this time) 1. This paragraph specifies "a period of one year only" for planning permission. Again, does this commit District Officers to a maximum period or will they be willing to negotiate, thus ignoring these clear parameters? It could be argued that, because certain privileges are being proposed for those seeking planning permission under this policy, the period should be considerably less than the standard three years as specified in this paragraph. 2. The second part of this paragraph raises the issue of how this Policy will operate parallel to the current LDF. Does this Policy actually allow for development either not included in or even contrary to the current LDF? Will District Officers be able to clarify that the provision "affordable housing" specified under this Policy will not be exploited by developers to circumvent the present LDF's position with regard to areas enjoying protected designations, such as AONB, CWL or SSSI? Will Officers be able to clarify that this Policy will not allow the granting of planning permission to build on presently-designated AONB land - before the new 2011 Plan is realised? Will Officers be able to consider the stance made by previous refusals to grant planning permission in the District which were detrimental to the AONB and would thereby have set a precedent? Will Officers be able to reassure that this Policy will not be contrary to other policies, such as: S4, D1, EN4 and EN5 of the EDLP and policies CO1, CO3, CO5 and TR10 of the DSP? (f) No open market property/properties may be occupied until at least twice that number of affordable dwellings have been built and occupied. - See d) (g) The development will be for no more than a total of 15

				<p>dwellings. 1. This paragraph specifies '15 dwellings'. This is generally welcome, as it could be argued that larger-scale developments in rural areas or rural areas adjacent to urban areas would entail overdevelopment. 2. This paragraph specifies that each "development" will constitute no more than '15 dwellings'. Again, will District Officers be vigilant with regard to the possibility of parcelling up larger sites, in order to sanction much larger-scale development under the guise of several "maximum" '15-dwelling' bundles. Jeremy Woodward Secretary Vision Group for Sidmouth for the sustainable development of town and valley</p>
South West RSL Planning Consortium	South West RSL Planning Consortium			
Wainhomes (South West) Holdings Ltd	Wainhomes (South West) Holdings Ltd	Mr S Harris	Associate Director Emery Planning Partnership	<p>Dear Sir/Madam, Re: Interim Rural Departure Site Affordable Housing Policy for Mixed and Affordable Housing - October 2009 Emery Planning Partnership is instructed by Wainhomes (South West) Holdings Ltd to make representations to the consultation to the above document. We support the intent of the Interim policy which is to bring forward sites for development in order to bring forward new affordable housing in the District. However, we consider that there are a number of key issues with the policy as currently written, which we consider will not bring forward the necessary level of affordable housing provision. These are: 1) the requirement for 66% of the total provision on a site is too high. We consider 50% should be the maximum; 2) 15 dwellings is too low as a blanket maximum and should be revised so that more sustainable villages should have a greater number of dwellings. Our reasoning is set out below. Affordable Housing Provision One of the Government's key policy objectives in PPS3 is to achieve mixed communities. There are various references to mixed communities in PPS3, such as: Paragraph 9 - To create sustainable, inclusive, mixed communities in all areas, both urban and rural Paragraph 20 - Key characteristics of a mixed community are a variety of housing, particularly in terms of tenure and price and a mix of different households such as families with children, single person households and older people. This issue has been addressed elsewhere in the South West. A report was undertaken by Tetlow King which informed the Restormel Core Strategy affordable housing policy. When assessing the proposed affordable housing requirement of 66% in the rural area and 45% in the urban areas in the Core Strategy submission draft, paragraph 3.3 states: "We consider that such a high target does not conform with the Government's policies on the creation of mixed and balanced communities which caters for the housing needs of the whole community. It would lead to a concentration of affordable housing on a significant scale in urban areas. Housing Corporation sponsored research by Sovereign Housing Association/Guinness Trust entitled "Challenging Perceptions" (April 2005) on mixed tenure estates concluded that targets should not exceed 30% taking into account the need to create sustainable communities and housing management issues which arise from mixed tenure estates. This is considered to be cautious but it highlights the potential difficulties of mixing affordable and market housing on large estates in urban areas." The council accepted these recommendations in their subsequent Post Submission Changes. The Inspector therefore endorsed the 50% requirement in the rural areas and 40% in the urban areas. The RSS Proposed Changes requires at least 35% of all housing development annually across each Local Authority area and Housing Market Areas to be affordable housing. Our client is proceeding with a number of applications in villages in Cornwall at present and is agreeing between 40% to 50% affordable housing provision, with the now unitary authority. Should the affordable housing provision have been 66%, such an offer would not have been accepted by our client on viability grounds and they would then not be delivering the much needed affordable housing in those villages. Those examples are on developments of 60 to 70 dwellings. Therefore in our experience 50% is an appropriate maximum level to achieve a mixed community with the final percentage depending on relevant material considerations. Maximum Threshold The policy states that the development will be for no more than a total of 15 dwellings. We consider that there needs to be greater flexibility on the size of the developments and this should be correlated to the sustainability of a particular settlement. For example, Feniton is a sustainable settlement with a rail station, primary school, convenience store, a Church, a post office, a public house, two hairdressers, fast food takeaway, a private dental practice and two children's play areas with playground equipment. Therefore, the village could accommodate a larger development and the Interim policy should enable such a development to come forward. Therefore we consider that the Interim Policy should have a range of maximum site sizes based on a settlement hierarchy. Conclusion To conclude, the justification for 66% affordable housing is not appropriate and based on Government guidance and experience elsewhere in the South West, the affordable housing threshold should be reduced to a maximum of 50% with the final percentage depending on relevant</p>

				material considerations. The 15 dwelling limit should also be revised to reflect the sustainability of the settlements in the rural area, so that sustainable villages can have a greater level of development. Should you require any further information please do not hesitate to contact us.
Mr Steve Russell	Land and Planning Director Devonshire Homes Ltd			Welcome the production of this interim policy comments are as follows (a) Is this restriction required, surely the standard development control policies would still apply to any application submitted under this interim policy. (b) This is too restrictive, may be difficult to achieve in some rural settlements. Each application should be considered on its own merits and be commensurate with the need of the village and availability of sites. (c) The strict requirement for a local housing needs survey will delay any provision of affordable housing, more information is required as to the mechanism to carry out the surveys, will they need to be carried out by the Community Council of Devon, will they have the capacity to carry out all of the required surveys, will these surveys need to be carried out in conjunction with the Parish Councils. The control of the open market units is unreasonable, who will carry out the survey to establish the open market requirements. The inclusion of the open market housing in this policy is clearly a bid to encourage development, and to make the schemes more attractive to landowners and as such the commercial viability should be left to the developer of the site, the type of housing can be controlled by the standard development control policies already in place. (d) No comment (e) No comment (f) This is overly restrictive, the requirement for the properties being built is acceptable, but not the requirement for them to be occupied as this would be completely out of the developers' hands. (g) This is not necessary - the size of development is already limited by the proven need and percentage of dwellings to be affordable surely if there was an identified need of more than 10 affordable dwellings then a larger development would be justified.
Mr David Wicks				Comments:- PPGs and PPS' confirm that rural developments in most cases involve unavoidable use of cars. I feel criteria (b) restricts the majority of sites available in rural areas taking into consideration the following:- Planning history confirms that rigid application of (b) has in part contributed to past/current severe shortfall in available land and will be detrimental to objectives of SHLAA. As there are very few suitable sites available for low cost affordable homes at economic base cost, it is necessary to ask what planning contingency/criteria could be put in place to avoid exclusion of cost effective sites that marginally fall short of (b) but have other merits. Accepting (b) is sound in principle, I believe that the location of all developments should involve minimum commute distance to necessary employment, education and health facilities because most sites submitted for SHLAA will fall short on point (b). Would it be possible to expand criteria brief to ensure sustainable requirements of life to be located within a maximum mileage radius of established facilities? This would ensure effective/productive gain in SHLAA process and offer house occupiers the option of locating according to individual finances and health considerations to walk, cycle, taxi and access public transport where available. RE Point (e):- Planning permission granted for one year only is unrealistic and would be counter-productive for the following reasons:- 1. Reduce availability and access of funding. 2. Inflate costs and stretch available resources by short-term upsurge in demand for labour and materials. 3. Extend delivery of finished housing due to premature part commencement of some developments. 4. Place unnecessary burden on Planning and Building Control departments, thus increasing risk of poor design and quality of end product. A 2 year permission is more realistic and would not be detrimental to total number of units delivered. David Wicks
Mr Alan McArthur				Dear Sir, I have been asked to comment on this proposed policy by my fellow councillors of Whimple Parish. Overall the proposals seem sensible and would at least provide a template for future planning issues of this kind. However at (b) in our already overcrowded villages it would be difficult to identify land which would meet this criteria, especially walking distance of a state primary school. Proposal (f) might prevent the unscrupulous land owner who abuses the present planning system by enabling him to build market properties in exchange for land to be used for affordable housing. In our own recent housing needs survey it was clearly identified that there was a need for at least thirty dwellings to be made available in our parish alone. Yours faithfully. Alan McArthur Councillor Whimple Parish.
Mrs Sue Southwell	Rural Housing Enabler Devon Rural Housing Partnership			I am in favour of the additional flexibility this interim policy will permit and think it will encourage landowners to bring land forward. I am concerned that the definition of a "sustainable" rural community will still be determined by a tick box approach to the facilities. Has EDDC considered working with the sustainable rural communities toolkit that was developed by Rural Innovation as an alternative method of evaluating the sustainability of rural communities? Most parishes would agree that to have a school or a shop is a huge asset to a village but disagree with the assertion that just because a village lacks such a facility it is no longer sustainable. The toolkit can be downloaded from: www.ruraltoolkit.org.uk

Mr Peter Sullivan	Chairman Sidmouth Town Council			<p>Do you consider that the vision is appropriate for East Devon? (please mark one box only) Yes Are there any other groups or bodies that you can identify that we should seek to hold specific consultation events with and are there particular types of consultation events that you would regard as appropriate? No Should the technical demands of achieving low or zero carbon development be given primary or significant weight in evaluating options for where and how additional development should take place in East Devon's West End? (please mark one box only) Yes Please provide comments below to justify your response to Question 5.1 I am yet to be convinced of the need for such drastic action over carbon Should the technical demands of achieving low or zero carbon development be given primary or significant weight in evaluating options for where and how additional development should take place elsewhere in East Devon? (please mark one box only) Don't Know Please provide comments below to justify your response to Question 5.2 As above Should specific areas or locations be identified in East Devon for renewable and low-carbon energy generation? (please mark one box only) No Please provide comments below to justify your response to Question 5.3 (comments are particularly sought on potential sources for renewable and low-carbon energy that could be promoted in East Devon and potential locations) This should be set as a Parish/Town objective to sort out. What levels of renewable energy production do you consider should be sought on future developments in East Devon? (please mark one box only) High Renewable Energy Standards - Set targets seeking more than 10% renewable energy production on development sites for all but the smallest development schemes (for example 20% generation on schemes of five dwellings or more or 500 SqM or more). Do you consider that an additional 35 hectares land to that already identified for employment uses at the East Devon's West End is sufficient and should this aim to provide for all types of employment sectors? Not able to comment Are there any other issues or matters you would wish to raise or draw to our attention? Not at this stage</p>
Mr Dave Harris				<p>I am concerned that this will lead a rush of developments on green areas which simply happen to be near other building/buildings. Particularly in this financial climate farmers and other landowners may wish to make a quick profit by selling land previously unavailable for building development to unscrupulous developers. Land and fields adjoining existing housing could suddenly become developments, which could easily spoil the beauty and countryside appeal of Devon. This would undoubtedly adversely effect visitor numbers as well as making a much less pleasant area in which to live. In fact the policy is rather vague as to exactly where developments will and won't be allowed and does not specify AONB or other areas such as SSSIs. Devon has a unique character which could easily be lost if developments are not carefully controlled. Once a field or area of countryside has been built upon it will be lost forever. I feel there should be more emphasis on developing existing sites or suitable areas within existing built up areas, the old switchgear factory in Ottery St Mary for example, which is currently subject of planning for a Tesco's food store, which is simply not required. This would be a prime location for affordable housing/housing development and would be in keeping with the owners original ethos of giving something back to the community as well as providing a work place (the site had a tennis court etc). This would also be far more in keeping with the existing heritage and character of the town and avoid a hideous superstore structure spoiling once and forever the unique appeal of the town. It would also avoid the obvious effect on the existing shops and trade leading the inevitable closures and creation of a ghost town. Whilst I appreciate the controlling factor requiring 66% affordable and 50% of this sum to be rental housing, I can foresee this also becoming homes for people from outside of the local area, who may be for example homeless or immigrants from the EU and who would move to the top of the Council Housing List. This would do little to ease the problem of affordability of housing for the families already in those areas and continue the existing trend for people to be forced out of the countryside as they cannot afford to step onto the property ladder in the areas they grew up in and are not considered a priority on the waiting lists for social housing. This would also be true for people wishing to downsize once their families have moved on to start families of their own, after all who would not want to retire to a home by the sea? Local communities needs should be considered a priority along with preservation of the natural beauty that Devon has to offer. I thank you for giving me this chance to voice my opinion. Dave Harris</p>
Carol Jones				<p>Interim rural departure site policy for mixed affordable & market Housing The consultation paper and list of criteria is so vague and so slim that it is difficult to know where to start. Possibly we need to go back to the original 'exceptions' policy for affordable housing where Colyton is a supreme example of how badly things can go wrong. Not only did the Colyton Parish Plan make it perfectly clear that the residents did NOT wish to have any properties built on agricultural/AONB land but the chosen site (in fact it was the only site) broke the housing trust's own criteria, let alone the Colyton residents'. Devon County Council, Highways (later 'persuaded' to approve), all environmental agencies plus four senior ex town planners all objected to a site that was</p>

				<p>on top of a steep hill, not within easy non-motorised access of schools and facilities, with one road access only onto a country lane with a footpath exiting on a hill at a blind junction. There are also serious, unresolved, surface water issues and light pollution has not even been addressed at a time when EDDC are planning to turn out the lights at most of its car parks in a bid to save money and the environment. This is a high density build of 20 houses, each with two parking spaces and little to no accommodation for the 2010 energy efficient regulations on new buildings. Starting as an affordable housing development it has now changed its status to social renting only. So we now have a newly proposed EDDC policy which (a) calls for compatible build to the existing settlement and (b) residents to be within easy walking or with close public transport to a range of facilities including a state primary school. These criteria already exist and have been ignored by EDDC planning department. (c) 'A need to meet local needs' - what does that mean? People need to be near their work, surely, not necessarily in the village where they were born. How many of us wanted to remain living within a two mile radius of where we were brought up? Work, new partnerships, new friendships dictate where you want to live for both open market and affordable housing. The 'exceptions' rule was thought up by John Prescott who wanted homes at any cost, anywhere. He is now campaigning to safeguard the environment but it would appear that EDDC are still working on a discredited and unworkable directive from central government. EDDC talk about 'blue sky thinking'; this is still grey box ticking. (d) '66% affordable in perpetuity; half social rented properties'. Perhaps EDDC should look again at previous experience of 'affordable in perpetuity' in East Devon where the owner of an affordable property with the same clause wished to sell his property and claimed (and won) his right under the human rights act. (e) 'Planning permission for one year'. I would like to meet a developer in the present financial climate who, together with (f) 'No open market properties to be occupied until at least twice that number of affordable houses are built and occupied' will find this remotely credible. (g) In the Offwell Parish Plan, due to be published shortly, around 52% of residents would like to see up to 5 affordable houses built in the Parish. Less than 10% want new rental, social or open market housing. Almost no-one (2%) wants high density building on 'exceptions' land. 'Development no more than 15 dwellings'? What happened at Colyton then? Is this all a response to the acknowledged mistakes made in the Colyton approval to build? I was present when this planning application was approved by EDDC. The time given to other housing applications on the day lasted for approximately 40 minutes. The time taken to approve the Colyton application was 12 minutes. No site visit was made and the vocal indignation by one officer and one elected representative to any discussion on the merits of rushing through a building development on this scale, and in its totally inappropriate setting, was a troubling and less than edifying spectacle. EDDC planning department is not a personal fiefdom for those who feel they have served the residents of East Devon well over many years and always know 'what's best'. I, and many other residents of East Devon do not wish to hear our elected representatives stating (as I have) that 'housing must take precedence over environment - in all cases'. With my husband I run a successful B&B in East Devon. We welcome in the region of 800 guests a year. They visit our National Trust properties, they walk our wonderful valleys and woodlands, they visit the Jurassic Coast, they eat at excellent restaurants and farm shops and take home locally bred meat and local produce. Guests come from Europe, Australia, America and Japan as well as the UK. They come for the beauty of the environment and the quality of the accommodation and the food. These are the local businesses that provide the region's main employment and wealth creation. 40% of employees in Exeter work in the state sector, but whether you are in teaching, health, the police, Defra or in business, retail and leisure you want to be near your place of work - ie town and city, which is where the housing needs are most acute. This consultation is the latest in a long stream of consultations. So far people have responded well and a great deal of hard work has gone into producing Parish Plans in order to aid EDDC decision making. It will, therefore, come as something of a shock to read Mark Williams' letter in the local press this week in response to the Tesco planning application. I quote: "...there appears to be significant misunderstandings as to what the public can or cannot achieve in raising objections through the planning system. All views expressed are considered but they can only legally be taken into account where they raise material planning considerations." We are raising 'material planning considerations' all the time and they are being ignored Mr. Williams. Along with many other East Devon residents I am feeling totally frustrated with EDDC's unseemly rush to build cheap and unethical housing together with a staggering lack of vision for the future health of our environment. If Devon County Council can come up with a plan for eco friendly homes, so can EDDC. This interim departure policy goes nowhere near clarifying the confusion and lack of vision that we expect to see from our district council and elected representatives. Carol Jones</p>
Mr Robert Maynard	Strategic Planning	Mr Rober	Strategic Planning	East Devon District Council - Interim Rural Departure Site Policy for Mixed Affordable and Market Housing - Consultation Draft - October 2009 Devon County Council response to

Officer Devon County Council	t Mayn ard	Officer Devon County Council	<p>Consultation Draft Thank you for the opportunity to comment on the Interim Rural Departure Site Policy. The County Council recognises that the issue of affordable housing delivery is a major concern in some rural settlements and recognises that the advancing of departure sites can play a role in facilitating the delivery of affordable housing.</p> <p>However, the proposed Interim Policy introduces the concept of using "departures" in addition to "exceptions" in Local Plan Policy H4 and applying very different criteria. In this context, Devon County Council Officer comments about the Interim Policy are :</p> <ol style="list-style-type: none"> 1. In strategic planning terms there are concerns about the impact the proposed Interim Policy approach would have in undermining the emerging Regional Strategy and still current Structure Plan policy objectives . 2. The advancing of departure sites needs to be done: a) Within the context of the LDF process - so sites should have been identified as having potential previously and also been subject to a degree of community consultation i.e. sites are 'advanced' or 'accelerated' through the process rather than the apparent invitation to put forward departure sites anywhere in the district, which is what is implied in the East Devon version. East Devon should be looking first to their potential land supply for allocation. b) With the evidence that it is required set out clearly - what could be done to advance allocated sites for e.g. the nature of need in the rural areas that justifies rural departure sites via the exceptions route? c) Clearly related to housing need/HMA outputs d) In the context of a preferred strategy for dealing with rural areas i.e. still within the framework of settlement policies. 4. The introduction of an ah-hoc policy, even as an interim measure, will create a precedent that could undermine the development plan and its objectives if applied throughout the county and the rest of the region, as it would appear to encourage what could be a number of departure planning applications [each being referred to the Government Office]. 5. The legality of such an interim policy in terms of its role as a "key consideration" in the determination of a planning application need to be established . 6. The policy may prejudice the effectiveness of the development strategy and rural policy as expressed in adopted Development Plan documents . The policy appears to replace rather than be in conjunction with the adopted Local Plan policy, since there are fundamental differences between the two, not least in terms of establishing clearly to which settlements each policy approach applies. Instead it seems to be a new policy allowing open-market housing in rural areas contrary to Structure Plan Policy (such as Policy ST16 Local Centres and Rural Areas, Policy CO3 AONBs, Policy CO4 AGLV, and Policy CO4 CPA) and similar emerging Regional Spatial Planning Policy 7. The Local Plan Policy and the Interim Rural Departures Site Policy are two 'key considerations' that seem to be contradictory and does not give clear and concise guidance , e.g. does LP policy apply only to "Affordable Housing only" applications and not the affordable housing part of the interim policy, with the result that both are determined on different, and in the case of LP, more stringent criteria. 8. Looking at the proposed policy criteria in more detail : a) There is no indication as to what indicators will be used to judge when it is appropriate to terminate the policy - house prices, completion rates etc, take up of allocated sites etc. b) Some of criteria are open to widely varying interpretation without measurable guidelines e.g. the residents will have 'easy' public transport access to a 'range of facilities' c) Bullet point (c) appears to base the approval of open-market housing on a particular view of 'local need' rather than the HMA . "Local need" assessment for open market housing is a difficult concept to explain or justify - does it just mean demand? d) Bullet point (e) allows for a short-term approach with an emphasis on speed of delivery rather than quality or policy, setting aside well established principles of sustainable development. e) The renewal of applications for after one year would be difficult to defend [quite apart from the legality of the position] f) With regard to Bullet point (f) this aspect of the policy would be difficult to justify or enforce once the dwellings have been constructed. <p>In conclusion, Devon County Council Officers have serious concerns about the approach being suggested and the impact this could have on the emerging Regional Strategy and still current Structure Plan policy objectives. We would be happy to discuss the issues raised in greater detail if it would help in taking the process forward. Yours sincerely Robert Maynard Strategic Planning Officer</p>
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