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8.1

Full name: Damian Lynch

Organisation (where relevant): Planning Issues

Other party name (if relevant): Churchill Living and McCarthy Stone

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Paragraph

1(a). Please write down the paragraph, policy or figure number that your representation relates to.:

8.1

1(b). Does your comment relate to one of the changes listed above?: No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: Comments are submitted on behalf of Churchill Living and McCarthy Stone who together, deliver circa 90% of dedicated older persons housing for sale in the UK each year. The comments reflect the two company's significant experience in delivering specialist housing for older people.

Churchill Living previously made comments on the emerging plan as part of the Regulation 18 consultation exercise and the first Regulation 19 consultation in March 2025.

It is noted that within the Plan Wide Viability Study Addendum, the authors of this report recognise comments made in respect of the original Regulation 19 consultation:

"9 EDDC: Older Persons Housing: The LPVA highlights the weak viability of older persons housing in lower value areas, yet this form of development is still subject to blanket requirements."

In reviewing the second regulation 19 consultation, no reference is made to the above issue, and no policy amendments are put forward in respect of affordable housing and

other policy requirements where we have previously highlighted issues of financial viability.

The original comments we made in March 2025 and therefore remain of significant concern and are repeated below for ease of reference. We would encourage the council to note these comments and to put forward amendments accordingly. If the council fail to do this then the plan will be inconsistent with national planning policy and will not be justified. The Council is ignoring the findings of its own evidence base and creating unnecessary uncertainty for providers of older persons housing as a result.

Viability: Representatives from both Churchill Living and McCarthy Stone attended the joint Exeter and East Devon viability workshop in 2024 and provided feedback for the consultants to consider after the event. The evidence presented by the respondents included detail of recent planning applications within East Devon and the difficulty encountered in addressing affordable housing policy and viability in respect of specialist housing for older people.

The respondents requested that following the completion of the plan wide viability work that the council consider the introduction of a bespoke affordable housing policy for specialist older person housing development which would allow the developers of such housing to confidently invest in and bring forward planning applications for such housing.

The council's plan wide viability study was completed in January 2025 and is included as evidence supporting the draft plan and the policies within. The study examines the viability of specialist housing for older people including sheltered and extra care typologies and arrives at the following conclusions:

"Older persons sheltered housing is viable in VA1 with the standard affordable housing requirement for this area. It is not viable elsewhere in East Devon. Extra care housing and care homes are not viable in VA1 or elsewhere in East Devon." And, "Older persons sheltered housing in VA1 is viable as tested with 35% affordable housing. Extra care housing is not viable in VA1 although the extent is limited and suggest that it could be deliverable. Neither sheltered or extra care housing is viable in the VA2-VA5 blended area, even with 0% affordable housing. Separately, an additional sensitivity test was undertaken to explore the viability impact of higher value brownfield sites on sheltered

accommodation in VA1. Testing was undertaken with a nominal £1.5m/ha BLV, and the typology remained viable with the headroom reduced from £15436/unit to £3,501/unit."

For context, VA1 or value area 1 consists of small pockets of the market within Budleigh and Sidmouth. Table 4.6 of the study reports that in these areas:

"Activity is the lowest of the five value areas." And, "There are currently no new build properties currently advertised in VA1 area – opportunities to develop in these area, given their coastal setting and flood risk have been limited and therefore it is not surprising that there are no current listings. Rightmove suggests that the majority of properties sold are detached or flats, with all average prices above those used in the testing"

VA3 East Devon towns and rural is the area reported to have the highest activity: "Outside of the proposed new settlement and Cranbrook, this is the area with most future growth. There are both coastal and rural towns and villages and whilst there are some outliers, and particular locations will attract different mixes, prices are generally similar for new builds"

It may be taken from the above key summary points within the viability study that opportunity to bring forward viable older person housing development in East Devon will be constrained by market dynamics and viability but also availability of land. The 35% affordable housing target is clearly unviable in the areas where the study suggests that land will be readily available.

This position contrasts with the wider delivery expectations for housing across East Devon. The viability study sets out that the majority of the site allocations are located on greenfield sites on the edge of towns and villages across East Devon which in turn, the study finds to be viable with 35% affordable housing included.

The council's Housing Needs Assessment was published in September 2022 and looks at current and future need for sheltered and extra care housing within East Devon. Figure 7 of the needs assessment sets out modelled demand for older persons housing over the 2020-40 period based on the Housing LIN Toolkit. In summary, the idealised need outcome applying the Housing LIN Toolkit is for 1,631 units of private sheltered

housing for sale and 0 units for affordable sheltered housing due to the existing supply. There is a demand for affordable extra care units.

Taking the viability study and housing needs assessment together, it is clear that the affordable housing requirements for older persons housing are quite unique and will not reflect general needs developments on greenfield sites which will make up the majority of the housing delivery across the plan period.

Within the context of the above considerations, the following policies [see individual policy by policy responses entries from this respondent, and also in full in the uploaded attachment] are considered to be unsound given the evidence base underpinning each of these has not justified the requirements.

We have previously provided detailed comments in respect of the Regulation 18 consultation and first Regulation 19 consultation and engaged in the viability stakeholder consultation. It is disappointing that these comments were not taken on board given the comments and recommendations are provided with the intention of enabling the council to meet housing requirements for older people across the plan period. We would like to engage with officers to address the issues set out above and welcome the opportunity to engage further.

We have highlighted issues here which will impact on the delivery of housing for older people over the plan period and prohibit the sector meeting housing needs in the area.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Given the seriousness of these issues, we would therefore be grateful if we could be notified of the forthcoming examination stages and opportunities to explain these issues further in front of the appointed Inspector(s).

Full name: Margaret Leppard

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Paragraph

1(a). Please write down the paragraph, policy or figure number that your representation relates to.:

8.1

1(b). Does your comment relate to one of the changes listed above?: No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: Thanks for taking older people's housing needs into account ? what about younger disabled?

Full name: Dee Woods

Organisation (where relevant): Otter Valley Association

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Paragraph

1(a). Please write down the paragraph, policy or figure number that your representation relates to.:

8.1

1(b). Does your comment relate to one of the changes listed above?: Yes

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: We estimate that 17,000 new homes are required over the plan period to accommodate population growth, so have to assume that the figure of 20,909, an increase of 30% is to provide for inward net migration from other areas.

The target figure of 20,909 new homes in the period seems to be significantly based on including around 7,000 new homes for inward migration. This doesn't appear to be backed by any data or calculations on historical migration figures. Reviewing the validity of this component, and potentially reducing the total target build if this is not substantiated, could reduce the pressure on building within National Landscape areas. In relation to social and affordable housing the LP states that the overall need for affordable and social housing for East Devon would comprise a total of 11,324 households over the 22-year period 2020-2042, which is equivalent to an average of 515 households per annum. This indicates that almost 1/2 of the demand from now to 2042 is in the 'affordable housing' category - yet the 'aspirational' proposal (P 146 of Local Plan) seems to be about 30-35% of the new builds. And that is just an aspiration. So if fewer houses are built than the required 11,000 affordable homes - and more expensive homes - will there actually be a demand for these homes, and the shortage of appropriate social and affordable housing for existing residents will actually grow worse.

We question the projected housing numbers, as it appears that 11,324 affordable homes are required over the 22 year plan period. That equates to 515 affordable homes needing to be built each year, to cover the existing shortfall. So, more affordable housing should be required, not less than previous Local Plan policy. It is a concern that it has been reduced from 50% in Budleigh Salterton to only 35%. With an above average older population we welcome Policies HN03 and HN04.

Many more small homes are also required for first time buyers, and families who are priced out of the market. Also provision for decent sized gardens for houses is essential as outdoor space is important for wellbeing, and likely to become more so with hotter summers.

8.1 - 8.54

Full name: Robin James Meadwell

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.:

8.1 - 8.54

1(b). Does your comment relate to one of the changes listed above?: No

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not legally compliant. Please be as precise as possible.: Whether or not this chapter is legally compliant is a matter for East Devon Council. It is my opinion that this chapter is contradictory to the stated aims of East Devon Council to preserve the natural landscape and habitats. The aim of the national plan imposed by the current Government is to increase populations irrespective of local infrastructure, existing communities natural landscape and regional employment.

2(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The large scale construction of new build dwellings does not reduce house prices of the existing stock and aid affordability. The percentage of "affordable" housing on new build developments is relatively low and prices of dwellings allocated as "affordable" will not be less than a similar size property in the area and is often marketed at a higher price by Developers as a new build can often be considered to be more desirable. Aiming to meet local housing need with widespread large scale development is not a solution in itself and often creates more issues than it resolves, usually by increasing demand on local health services, utility resources and infrastructure. New Housing developments in any proposed area should not be approved until any existing developments being constructed have sold all of the dwellings constructed have sales agreed as this is the true measure of the demand for such housing. For example, the Linden Homes development on Chard Road in

Axminster still has stock available from earlier phases and is now commencing on Phase 4 construction. If new builds from earlier phases is still unsold, how can planning approval for large scale developments in other areas of Axminster be justified? The supply is exceeding the demand.

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:

No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: Meeting the potential housing needs of an ageing population can be met with smaller scale development and targeted development of property type, such as bungalows, and potentially increasing the availability of family homes.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: As stated in the responses to questions 2b, 2c and 3b.

4. Do you consider that this part of the Meeting Housing Needs chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Whilst the Meeting Housing Needs chapter is likely compliant with the Duty to Co-operate, this does not of itself mean that it provides appropriate solutions for the current and future housing demands and needs.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

8.2

Full name: Martin Stockley

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Paragraph

1(a). Please write down the paragraph, policy or figure number that your representation relates to.:

8.2

1(b). Does your comment relate to one of the changes listed above?: Yes

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.:

8.2 - Removal of evidence from justification. It is said that the housing needs assessment is not needed here because it is addressed elsewhere, but for residents trying to navigate this complex documentation, that sounds like deliberate obfuscation.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Needs specific plans for older people.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

8.4

Full name: Margaret Leppard

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Paragraph

1(a). Please write down the paragraph, policy or figure number that your representation relates to.:

8.4

1(b). Does your comment relate to one of the changes listed above?: No

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: overage clause – Problem- does the council have enough resource to monitor and act to implement?

HN01

Full name: Hilary Johnson

Organisation (where relevant): Dorset Council

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN01

1(b). Does your comment relate to one of the changes listed above?: No

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
Yes

3(a). If yes, and you wish to support the soundness of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: Thank you for the opportunity to comment on the East Devon Local Plan Second Regulation 19 Publication Draft (November 2025) and supporting Statements of Common Ground (CD01a, b, c & d). We understand that, in accordance with Annex 1 of the December 2024 National Planning Policy Framework (NPPF), the East Devon Local Plan is progressing under the December 2023 NPPF, having reached Regulation 19 stage in February 2025. Under these transitional arrangements, the plan is required to provide for at least 80% of the standard method local housing need. Based on a standard method figure of 1,146 dwellings per annum, this equates to a minimum requirement of 950.4 dwellings per annum. Over the 22-year plan period, this results in a minimum housing provision of 20,908 net additional dwellings. This position is outlined in Strategic Matter HN01 and can generally be supported.

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): 3West Developments Ltd

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN01

1(b). Does your comment relate to one of the changes listed above?: No

3(a). If yes, and you wish to support the soundness of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: ***

Personal details have been removed *** continues to support the principle of Strategic Policy HN01 and the need for new developments and housing to meet existing needs. We welcome the recognition that up-to-date local housing need evidence assessments can be relied upon when assessing both existing and future housing needs.

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: *** Personal details have been removed *** reiterate, however, that the Plan should seek to provide housing allocations sufficient to meet the full objectively assessed housing need for East Devon, rather than treating the minimum 80% Standard Method figure permitted under the NPPF transitional arrangements as a ceiling. While the housing requirement in Strategic Policy SP02 satisfies the transitional minimum, it represents only a starting point. The latest Standard Method indicates an annual housing need of approximately 1,147 dwellings per annum, which better reflects current demographic and affordability pressures. There is no policy harm in planning positively for a higher level of housing provision above the minimum, and doing so would reduce reliance on a small number of strategic sites and better ensure the Plan is genuinely positively prepared.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Our attendance is necessary to effectively discuss the points raised in these representations.

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): 3West Developments Ltd

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN01

1(b). Does your comment relate to one of the changes listed above?: No

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: No

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.:

2.42 3West Developments support the principle of Strategic Policy HN02 and the provision of affordable housing to assist the Council in meeting and addressing housing need and worsening the affordability gap within EDDC.

2.43 Policy HN02 states that sites within Exmouth, must provide 30% affordable housing. In accordance with this, Land at St Johns is proposed to deliver 30% affordable housing which will assist the Council in meeting their affordable housing needs.

2.44 It is maintained that ensuring a balance between the delivery of affordable housing as well as other objectives such as design, sustainability and infrastructure requirements is crucial. 3West Developments therefore reiterate our previous concerns regarding the evidence base underpinning affordable housing requirements and the need to ensure that policy expectations remain realistic, deliverable and flexible, when considered alongside other policy burdens.

2.45 Furthermore, whilst 3West Developments recognise amendments to the wording, there remains a concern that the policy does not allow for sufficient flexibility nor recognise market variance within the breakdown of affordable housing tenures and mix. Paragraph 86(d) of the NPPF (2023) which states that planning policies should “be flexible enough to accommodate needs not anticipated in the plan, allow for new and

flexible working practices (such as livework accommodation), and to enable a rapid response to changes in economic circumstances.”

2.46 To be considered effective and sound, 3West suggest the policy wording be amended to:

- Include additional flexibility, with the use of local market information to inform the appropriate tenure breakdown, beyond what is set out within the District wide housing needs assessment.
- Ensure the policy considers affordable housing mix on a case-by-case basis.
- Allow alternative housing mixes where necessary.
- Allow developers to depart from the proposed affordable housing mix should sufficient market evidence be provided, particularly if the proposed development provides the required affordable housing percentage required.

4. Do you consider that this part of the Meeting Housing Needs chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Our attendance is necessary to effectively discuss the points raised in these representations.

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): 3West Developments Ltd

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN01

1(b). Does your comment relate to one of the changes listed above?: No

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: No

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.:

2.39 We support the overall intent of Strategic Policy HN01 and acknowledge the importance of ensuring that new housing development responds to identified local needs. We also welcome the policy's recognition that the most up-to-date local housing needs evidence can be taken into account when assessing both current and future requirements.

2.40 In this context, we consider that the Plan should make provision for housing allocations that meet 100% of East Devon's identified housing needs, rather than limiting delivery to 80%.

2.41 Furthermore, we consider that locally derived market evidence and sales data, which form an important component of housing needs evidence, should be recognised within the broader assessment framework. Such information can provide valuable, site-specific insight and supplement district-wide evidence when determining appropriate levels of housing provision.

4. Do you consider that this part of the Meeting Housing Needs chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Our attendance is necessary to effectively discuss the points raised in these representations.

Full name: Zoe Mason

Organisation (where relevant): Lichfields

Other party name (if relevant): Mr M and Mr R Nanciekivell

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN01

1(b). Does your comment relate to one of the changes listed above?: No

3(a). If yes, and you wish to support the soundness of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: Draft Policy HN01 requires development sites to provide a balanced and mixed housing provision in line with the September 2022 East Devon, Exeter, Mid Devon and Teignbridge Local Housing Needs Assessment (September 2022), successor documents, or subsequent superseding documents, or local housing need evidence assessments.

5.2 The Landowner welcomes the flexibility afforded to the reference documents that demonstrate local housing needs, to ensure the policy remains relevant for the duration of the plan.

Full name: Neil Mantell

Organisation (where relevant): LRM Planning

Other party name (if relevant): David Wilson Homes

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Whim_12

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not legally compliant. Please be as precise as possible.: he plan period and the length of time for its preparation - Object 4.1 As set out in national planning policy⁴, strategic policies should look ahead over a minimum 15-year period from the date of the adoption of the Local Plan. In addition, planning law requires the preparation of a Local Development Scheme, which must specify the development plan documents that, once prepared, will comprise the development plan for the area. The same section of the 2004 Planning Act requires local planning authorities to provide a timetable for the preparation and revision of development plan documents and for local planning authorities to provide up-to-date information showing the “state of the authority’s compliance (or noncompliance) with the timetable...” 4.2 The latest Local Development Scheme (October 2025) forecasts adoption of the Plan in 2027. No specific month in 2027 is identified. However, if the Plan is forecast to be adopted any later than the 31st March 2027, then the Plan will not provide the “minimum 15 year period from adoption.” 4.3 DWH consider that it is highly ambitious to consider that the emerging Local Plan will be adopted in 15 months, particularly when there are the following likely stages of plan preparation: ? the processing of the Second Regulation 19 consultation responses; ? the completion of the outstanding elements of the evidence base underpinning the emerging Local Plan, including an assessment of the viability of the Marcombe new community; ? the appointment of the examining Planning Inspector(s) and the Programme Officer by the Planning Inspectorate; ? the scheduling of the Hearing Sessions; ? the preparation of Hearing Statements; ? the Hearing

Sessions; ? the proposed Main Modifications (likely to be required), with supporting technical information; ? the publication of the Inspector’s Report; ? to seek the recommendation of the Strategic Planning Committee for the Plan to be Adopted; and ? the Plan to be adopted by Full Council. 4.4 The most obvious benchmark is the recently adopted Cranbrook Plan. In that case, the Local Planning Authority submitted the Plan to the Secretary of State for Examination on 2nd August 2019. The Hearing Sessions, which were divided into two stages, commenced on 21st January 2020 and ended on 20th November 2023. A further consultation concerning viability was undertaken in July and August 2021, with the Proposed Main Modifications published in January 2022. The Inspector’s Report was published in August 2022, with the Development Plan Document being adopted on 14th September 2022. Consequently, it took over three years from the Submission of the Cranbrook Plan to its adoption. Even allowing for the delays resulting from the Covid-19 pandemic, the period from the Submission of the Plan took significantly longer than the timeframe that has been allowed by the Local Development Scheme. 4 Para. 22 of the NPPF. SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 15 4.5 Another recent example is the Teignbridge Local Plan, which was submitted for Examination in March 2024 and nearly two years later, has not been adopted. 4.6 The implications of not complying with this national planning policy requirement were considered at the Wiltshire Local Plan Examination, which is currently ongoing. In relation to this matter, in their letter dated 22nd December 2025, the Inspectors concluded that: “As discussed during the hearing sessions, paragraph 22 of the NPPF - September 2023, amongst other things, requires that strategic policies should look ahead over a minimum 15-year period from adoption to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements to infrastructure. Where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery. Given the extent of work required in this letter, together with the remainder of the hearings programme and consultation process that would likely follow, we consider it unlikely that the Plan would be adopted until 2027. The Plan period may, therefore, need to be extended by at least a further four years to 2042 to ensure that the Plan is consistent with national policy and effective. The implications of extending the Plan period by a further four years would be that the housing and employment requirements would need to be recalculated as previously stated. Further main modifications may also be required to identify sufficient land to ensure that needs could still be met” (our emphasis). 4.7 Consequently, and drawing on the experience of Wiltshire Council, to ensure that the Plan is consistent with national policy and is therefore a sound proposition, the Local Planning Authority must ensure that the plan period covers a full 15-year period from the date of adoption. This is likely to require, for the reasons set out above, the plan period to be extended by at least a further year (i.e. to 2043).

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:

No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.:

he plan period and the length of time for its preparation - Object 4.1 As set out in national planning policy⁴, strategic policies should look ahead over a minimum 15-year period from the date of the adoption of the Local Plan. In addition, planning law requires the preparation of a Local Development Scheme, which must specify the development plan documents that, once prepared, will comprise the development plan for the area. The same section of the 2004 Planning Act requires local planning authorities to provide a timetable for the preparation and revision of development plan documents and for local planning authorities to provide up-to-date information showing the “state of the authority’s compliance (or noncompliance) with the timetable...” 4.2 The latest Local Development Scheme (October 2025) forecasts adoption of the Plan in 2027. No specific month in 2027 is identified. However, if the Plan is forecast to be adopted any later than the 31st March 2027, then the Plan will not provide the “minimum 15 year period from adoption.” 4.3 DWH consider that it is highly ambitious to consider that the emerging Local Plan will be adopted in 15 months, particularly when there are the following likely stages of plan preparation: ? the processing of the Second Regulation 19 consultation responses; ? the completion of the outstanding elements of the evidence base underpinning the emerging Local Plan, including an assessment of the viability of the Marlcombe new community; ? the appointment of the examining Planning Inspector(s) and the Programme Officer by the Planning Inspectorate; ? the scheduling of the Hearing Sessions; ? the preparation of Hearing Statements; ? the Hearing Sessions; ? the proposed Main Modifications (likely to be required), with supporting technical information; ? the publication of the Inspector’s Report; ? to seek the recommendation of the Strategic Planning Committee for the Plan to be Adopted; and ? the Plan to be adopted by Full Council. 4.4 The most obvious benchmark is the recently adopted Cranbrook Plan. In that case, the Local Planning Authority submitted the Plan to the Secretary of State for Examination on 2nd August 2019. The Hearing Sessions, which were divided into two stages, commenced on 21st January 2020 and ended on 20th November 2023. A further consultation concerning viability was undertaken in July and August 2021, with the Proposed Main Modifications published in January 2022. The Inspector’s Report was published in August 2022, with the Development Plan Document being adopted on 14th September 2022. Consequently, it took over three years from the Submission of the Cranbrook Plan to its adoption. Even allowing for the delays resulting from the Covid-19 pandemic, the period from the Submission of the Plan took significantly longer than the timeframe that has been allowed by the Local Development Scheme. 4 Para. 22 of the NPPF. SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 15 4.5 Another recent example is the Teignbridge

Local Plan, which was submitted for Examination in March 2024 and nearly two years later, has not been adopted. 4.6 The implications of not complying with this national planning policy requirement were considered at the Wiltshire Local Plan Examination, which is currently ongoing. In relation to this matter, in their letter dated 22nd December 2025, the Inspectors concluded that: “As discussed during the hearing sessions, paragraph 22 of the NPPF - September 2023, amongst other things, requires that strategic policies should look ahead over a minimum 15-year period from adoption to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements to infrastructure. Where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery. Given the extent of work required in this letter, together with the remainder of the hearings programme and consultation process that would likely follow, we consider it unlikely that the Plan would be adopted until 2027. The Plan period may, therefore, need to be extended by at least a further four years to 2042 to ensure that the Plan is consistent with national policy and effective. The implications of extending the Plan period by a further four years would be that the housing and employment requirements would need to be recalculated as previously stated. Further main modifications may also be required to identify sufficient land to ensure that needs could still be met” (our emphasis). 4.7 Consequently, and drawing on the experience of Wiltshire Council, to ensure that the Plan is consistent with national policy and is therefore a sound proposition, the Local Planning Authority must ensure that the plan period covers a full 15-year period from the date of adoption. This is likely to require, for the reasons set out above, the plan period to be extended by at least a further year (i.e. to 2043).

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The latest Local Development Scheme (October 2025) forecasts adoption of the Plan in 2027. No specific month in 2027 is identified. However, if the Plan is forecast to be adopted any later than the 31st March 2027, then the Plan will not provide the “minimum 15 year period from adoption.”

Full name: Margaret Leppard

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN01

1(b). Does your comment relate to one of the changes listed above?: No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: As a long term singleton^1 I am concerned about the assumption that single people should be offered shared accommodation. Why not flatlets? Cater for introverts who are energised by time alone. Shared accommodation presents tremendous challenges to neurodivergent people. Why not develop medium rise blocks with communal recreational facilities on the ground floor (and roof?). With decent sound proofing (young people play loud music older people turn their TVs up because of poor hearing – apologise for stereotyping – time is running out!) , could mix up younger people and older people, increase social capital.

(1. VERY happily married for 16 years. Sadly now widowed!)

Full name: Rachel Danemann

Organisation (where relevant): Home Builders Federation

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN01

1(b). Does your comment relate to one of the changes listed above?: No

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy.

HBF have been unable to find the whole plan viability assessment for this Plan. We also can find no reference made to it within the Plan. This document is important to help understand the effectiveness justification or deliverability of this Plan. It is therefore not possible for us to comment fully on the justification and effectiveness of this plan, and its ability to deliver the range of housing indicated in this policy. For example, the viability of older persons housing, build to rent, student accommodation, first time buyer housing or family housing will be different. Similarly different forms of affordable housing have a different impact on viability.

The whole plan viability assessment is an essential part of the evidence base that tests whether the range of the policies in the plan as a whole make development unviable. To be most useful HBF suggest viability appraisals should be used in an iterative manner to test different policy combinations. HBF suggest that the whole plan viability assessment should be produced in tandem with the different stages of plan-making and not relegated to something prepared after the Reg 19 version of the plan has already been consulted on.

In relation to the effectiveness and soundness of this particular policy HBF would observe that some of our members are finding it difficult to find a housing association partner for their affordable housing. This is national problem, that the Government has attempted to address through the establishment of a 'clearing house' to help match affordable housing units with affordable housing providers. To date this is having a very minimal impact with only about 800 affordable homes listed nationally. It is therefore very important for the Plan to recognise the challenges facing the affordable housing sector and the impact this may have on delivering affordable housing of different types and tenures.

HN02

Full name: Dee Woods

Organisation (where relevant): Otter Valley Association

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN02

1(b). Does your comment relate to one of the changes listed above?: Yes

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: Yes

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: We estimate that 17,000 new homes are required over the plan period to accommodate population growth, so have to assume that the figure of 20,909, an increase of 30% is to provide for inward net migration from other areas. The target figure of 20,909 new homes in the period seems to be significantly based on including around 7,000 new homes for inward migration. This doesn't appear to be backed by any data or calculations on historical migration figures. Reviewing the validity of this component, and potentially reducing the total target build if this is not substantiated, could reduce the pressure on building within National Landscape areas. In relation to social and affordable housing the LP states that the overall need for affordable and social housing for East Devon would comprise a total of 11,324 households over the 22-year period 2020-2042, which is equivalent to an average of 515 households per annum. This indicates that almost 1/2 of the demand from now to 2042 is in the 'affordable housing' category - yet the 'aspirational' proposal (P 146 of Local Plan) seems to be about 30-35% of the new builds. And that is just an aspiration. So if fewer houses are built than the required 11,000 affordable homes - and more expensive homes - will there actually be a demand for these homes, and the shortage of appropriate social and affordable housing for existing residents will actually grow worse. We question the projected housing numbers, as it appears that 11,324 affordable homes are required over the 22 year plan period. That equates to 515 affordable homes needing to be built each year, to cover the existing shortfall. So, more affordable housing should be required, not less than

previous Local Plan policy. It is a concern that it has been reduced from 50% in Budleigh Salterton to only 35%.

4. Do you consider that this part of the Meeting Housing Needs chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: We wish to ensure that the housing needs estimates are fully considered and corrected if necessary.

Full name: Dan Rogers

Organisation (where relevant): Bell Cornwell

Other party name (if relevant): Clinton Devon Estates

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN02

1(b). Does your comment relate to one of the changes listed above?: No

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: INTRODUCTION
Combe Estate are long standing generational owner of large areas of agricultural and forestry land within East Devon. Their land interests are primarily in Honiton and Gittisham. As part of its interests, the Estate undertakes residential and commercial development and are the owners of Combe Garden Centre. The Estate therefore has a wide range of land and business interests within the district. The Estate has provided representations to the Council as part of previous consultations on the draft local plan and via the related call for sites process. Given the nature of their long-standing presence in the district, The Estate is an important local stakeholder with allocation interests within the proposals in the East Devon Local Plan for future development in the district. Against this background, Bell Cornwell LLP has reviewed the policies and information set out in the East Devon Local Plan (2020 -2042) Regulation 19 Consultation Draft and makes the following representations. CHAPTER 8: MEETING HOUSING NEEDS Strategic Policy HN02: Affordable Housing Strategic Policy HN02 sets out the Council's proposed approach to the provision of affordable housing as part of new development. In summary, it proposes that affordable housing be provided on housing schemes of six or more dwellings in designated rural areas and 10 or more in non-designated rural areas. In Honiton, housing allocations will be required to deliver 30% affordable housing. Combe Estate support the approach in Policy HN02 which would require their land interests at Honiton to deliver a level of affordable housing relative to "value area" in which Honiton is located – noting that the towns of Sidmouth and Budleigh will be required to deliver 35% affordable housing. However, the current affordable housing requirement in Honiton under the extant Local Plan is for 25% affordable housing to be delivered. This current plan set affordable housing positions in

a period that pre-dated a variety of issues that have affected the housing market in the last five years including post pandemic effects and other economic shocks and which collectively have substantially increased borrowing and construction costs. It is well recognised that these impacts, along with much the increased technical requirements (notably in relation to, for example, biodiversity net gain and flood COMBE ESTATE REPRESENTATIONS ON THE EAST DEVON LOCAL PLAN (2020 – 2042) REGULATION 19 CONSULTATION DRAFT (MARCH 2025) BY BELL CORNWELL LLP 2 risk) and significant delays in the planning process have had direct effects on the viability of housing schemes. We note that Core Submission Document CSD-04 (East Devon Local Plan Viability Assessment) suggests that with the exception of Axminster, 35% affordable housing is generally viable on allocated sites, but that 30% requirement is currently proposed for Honiton and is suggested to “provide additional viability headroom to meet additional costs.” Obviously, a precautionary approach to viability is important to give developers flexibility and room to manoeuvre in an uncertain market. However, in order to achieve the level of affordable housing requirement set out in the policy, it is critical that it is demonstrably viable to do so. It is unclear whether the Local Housing Need Assessment which underpins the Local Plan is supported by any viability assessment, and given the proposed affordable housing targets are generally higher than the requirements in the current Local Plan, it is essential that this is tested through detailed viability. This should be done before examination to avoid delays during the examination (taking the lessons learned from the viability sessions of the Cranbrook Plan DPD as an example). At present, it is unclear whether sufficient testing has been undertaken to confirm the thresholds of affordable housing set out are viable and further infrastructure costings required to ensure the LPA have a robust position. We would therefore question soundness at the current time.

Full name: Dan Trundle

Organisation (where relevant): Black Box planning

Other party name (if relevant): Greendale Group (FWS Carter & Sons Ltd) and Crealy Farms

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN02

1(b). Does your comment relate to one of the changes listed above?: No

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: Furthermore, the plan has set 'an aspiration' for 40% affordable housing to be delivered at Marlcombe subject to grant funding and bespoke viability work for the new community. Remarkably this is set at a level above the rest of the plan area (35%), given the burdensome infrastructural requirements of the New Town, it is difficult to see how this prove to be deliverable.

Full name: Alistair Macdonald

Organisation (where relevant): Blue Fox Planning

Other party name (if relevant): Persimmon Homes South West

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN02

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Sidm_01

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: Yes

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: The LPA's consultation response to the first regulation 19 consultation, fails to establish the position of the authority on the matters raised, and does not provide clear reasoning or justification as to the changes made to the plan as a result of the comments.

- As currently drafted, and as with the previous regulation 19 consultation, Strategic Policy HN02 sets the affordable housing requirement at different levels for different parts of the District. Neither the Policy nor its justification explain why the level of affordable housing required varies so greatly across the District and we continue to object to this policy and consider it to be unsound. The Plan should include a detailed analysis of the affordable housing requirement and justification of the approach taken. This should include a demonstration that site specific factors have been taken into account, as they may affect whether the requirement can be viably met.

Strategic Policy HN02: Affordable housing 22. PHSW previously raised comments regarding the Local Plans' approach to affordable housing. Whilst Persimmon fully supports the provision of an appropriate level of affordable housing as an important and integral part of new development, the prescription of any such requirement must be

supported and justified by a robust evidence base. 23. As currently drafted, (and as with the previous regulation 19 consultation), policy HN02 sets the affordable housing requirement at different levels for different parts of the District. For example, 35% affordable housing is required at the West End, Sidmouth and Budleigh Salterton whilst 30% is required on all other local plan allocated sites. Further, 25% is required at Axminster, and an aspirational 40% at Marlcombe new community. 24. Whilst the references to viability contained within the policy are welcomed, neither the Policy nor its justification explain why the level of affordable housing requires varies so greatly across the District. This position has not changed since the previous regulation 19 consultation. 25. The 'Draft Feedback Report' does not clarify the LPA's position with regards to the approach taken to the requirements for affordable housing. Whilst the report notes that responses call for the plan to 'Provide flexibility in tenure mix and allow market evidence to justify alternative mixes' the report but does not include the LPA's response to this matter. 26. Some supporting evidence has been revised. HOU-001 (rev) and HOU-002 (rev) have been updated in Autumn 2025 to update the assessment of local housing need and housing delivery. The updated LHNA assesses the housing need for the entire plan area and provides no justification as to the different needs or viability across different locations in East Devon. Whilst the updated Housing Delivery Paper (HOU-001) notes at paragraph 3.6 that "A degree of flexibility has been incorporated to reflect potential viability challenges and delivery risks", no evidence or detail of what the viability or delivery risks are considered to be or to which settlements or areas of East Devon they apply (either individually or collectively) has been provided.. 27. Likewise, the "key supporting document" East Devon Housing Need, Supply and Requirement Interim Topic Paper (KSD-017), dated November 2022, appears to rely on the previous 2022 LHNA and does not explain how the affordable housing requirements were arrived at. KSD- 017 has not been updated. It is thus not clear that the policy HN02 is supported by a robust and up to date evidence base. 28. We consider that on this basis the policy may be unsound and the Plan should instead include a detailed analysis of the stepped/area specific affordable housing requirement, along with a justification of how each of affordable housing requirements were arrived at. This justification should seek to demonstrate that site specific factors that may affect whether the requirement can be viably met have been fully taken into account.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Persimmon is a national house builder and has vast experience in delivering new homes across the country. Persimmon also owns the Land south west of Woolbrook (Sidm_01) allocation which is intended to deliver the majority

of new homes identified for the Town and it is therefore considered that Persimmon's participation at the Hearing Sessions would be useful for the appointed Inspector(s).

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): 3West Developments Ltd

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN02

3(a). If yes, and you wish to support the soundness of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: This policy prescribes the affordable housing requirements required on all developments across East Devon. For site allocations within Honiton, affordable housing is set at 30%. *** Personal details have been removed *** notes that the affordable housing mix included is an aspiration and it welcomes this flexibility.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: *** Personal details have been removed *** notes that the affordable housing mix included is an aspiration and it welcomes this flexibility. Further clarity could be provided to confirm that any alternative mix proposed would be subject to evidence including local market information.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Our attendance is necessary to effectively discuss the points raised in these representations.

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Vistry Group

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN02

1(b). Does your comment relate to one of the changes listed above?: No

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: Strategic Policy
HN02: Affordable Housing

2.43 Vistry support the principle of Strategic Policy HN02 and understand the requirement for the provision of affordable housing to assist the Council in meeting and addressing housing need and the worsening affordability gap within EDDC. However, at present, the proposed policy is not in accordance with 86(d) of the NPPF (2023) which states that planning policies should “be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.”.

2.44 Whilst amendments have been made to the proposed policy wording, the policy continues to have no flexibility for the development industry and fails to recognise market variance within Page 12 EDDC Second Regulation 19 Consultation: Representations | Land at Addlepool Farm the breakdown of affordable housing tenures and mix. Vistry therefore continue to raise concerns regarding the current policy requirements. To be considered effective and sound, the policy wording be amended to:

- Include additional flexibility, with the use of local market information to inform the appropriate tenure breakdown, beyond what is set out within the District wide housing needs assessment.
- Ensure the policy considers affordable housing mix on a case-by-case basis.
- Allow alternative housing mixes where necessary.

- Allow developers to depart from the proposed affordable housing mix should sufficient market evidence be provided, particularly if the proposed development provides the required affordable housing percentage required.

2.45 It is noted that the rest of East Devon is required to provide 35% affordable housing. In accordance with Strategic Policy HN02 Addlepool Village is proposed to deliver 35% affordable housing which will assist the Council in meeting their affordable housing need.

Full name: Phillippa Gatehouse

Organisation (where relevant): C G Fry & Son Ltd

Other party name (if relevant): Mr & Mrs Cowling

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN02

1(b). Does your comment relate to one of the changes listed above?: No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: The previous comments about the apparent conflict between Strategic Policy HN02 (Affordable Housing), and Policy SP06 regarding the certainty of windfall development also remain valid. Viability

It is noted that financial implications of the Building Safety Level are now addressed in Viability Addendum.

Full name: Samantha Thomas

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): Stuart Partners Ltd

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN02

1(b). Does your comment relate to one of the changes listed above?: No

2(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not legally compliant. Please be as precise as possible.: The identified 'headroom surplus' for housing supply has increased to 12.18% but this is due to the accounting period being adjusted to 2025 rather than additional allocations being identified. The previous comments and concerns about the identified number and stepped trajectory remain and it is considered a 20% buffer would be more robust and in line with national policy. The previous comments about the apparent conflict between Strategic Policy HN02 (Affordable Housing), and Policy SP06 regarding the certainty of windfall development also remain valid.

Full name: Zoe Mason

Organisation (where relevant): Lichfields

Other party name (if relevant): Mr M and Mr R Nanciekivell

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN02

1(b). Does your comment relate to one of the changes listed above?: No

3(a). If yes, and you wish to support the soundness of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: Draft Policy HN02 outlines affordable housing requirements against the settlement hierarchy for developments of 6 dwellings or more in designated rural areas and 10 or more in non-designated rural areas. Allocated development is subject to a 30% affordable housing provision, whereas unallocated development is to be subject to 35% affordable housing provision.

5.4 The Viability Assessment demonstrates a considered approach to viability, assessing both 30% affordable housing and 35% affordable housing with respect to allocations and typologies represented in value area 3 (VA3).

5.5 The Landowner considers that the requirement for provision of 30% affordable housing on allocated sites is justified and viable. This Policy is supported.

Full name: Neil Mantell

Organisation (where relevant): LRM Planning

Other party name (if relevant): The Cherwell Group

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN02

1(b). Does your comment relate to one of the changes listed above?: No

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: Viability – General comment

8.1 The Cherwell Group are aware that the Local Planning Authority is currently finalising their fully costed IDP and bespoke viability assessment for Marlcombe. They understand that these elements of work will be available prior to the Examination in Public. As part of the ongoing collaboration with East Devon District Council, the landholder interest group look forward to assisting the Local Planning Authority finalise both documents prior to the Examination in Public.

8.2 The Cherwell Group (and the wider landholder interest group) reserve the right to comment on these documents in due course. However, to aid the preparation of this work, they have commissioned Chesters Harcourt to undertake a review of all the Council's recent plan-making stage viability work and to suggest various methodological inputs that should be incorporated into the Council's ongoing work. This work is provided at Appendix 3. Summarily, it confirms that: ? The Policy aspiration for 40% affordable housing, 65% of which is to be social rent housing, is unlikely to be achievable without significant public subsidy. This conclusion has been reached having regard to:

– Documents CSD-004 and 004a, which conclude that in areas outside Marlcombe and Cranbrook, only 35% affordable housing would be viable. It is likely that sites within these areas will have a significantly lower developer contributions package than will be required at Marlcombe;

- the Committee Report to the 30th September 2025 Strategic Planning Committee, which confirmed that the 40% aspiration would not be met without public subsidy; and
- evidence prepared from the Cranbrook Plan, which confirmed that the expansion areas could only viably support 15% affordable housing. ? As outlined in national planning policy and guidance, there is a need for a viability assessment to be undertaken at the plan-making stage, to ensure that policies are realistic. Moreover, for strategic sites, such as Marlcombe, which are essential for the achievement of the Plan, it may be necessary for specific viability assessments to be undertaken. As a specific viability assessment was undertaken in support of the Cranbrook Plan, the approach being adopted by the Council in respect of Marlcombe is supported. ? As confirmed in the NPPF46, the methodology that should be employed when preparing the bespoke Marlcombe viability assessment is established in the PPG. Put simply, this requires an assessment of gross development value (GDV), an assessment of costs and allowances for benchmark land values (BLV) and developer profit. ? Given the recent experience at Cranbrook, consideration should be given to following the same approach and inputs used in that case, with any variations justified. ? Suggested inputs are provided, including:
 - The evidence base underpinning the emerging Plan suggests a blended GDV figure for Cranbrook of £3,706 psm as at January 2024. This is considered to be optimistic. Moreover, the intent of Strategic Policy WS01, which includes high density levels in certain parts of the new community, may impact on revenue, as a high proportion of apartments and flats will reduce GDV on a £ psm basis.
 - Given the ambitions relating to high-quality design and the use of specific materials, build costs above BCIS Lower Quartile figures for schemes of 250 or more homes should be considered. There is a suggestion to adopt the lower quartile construction rate, but to make 46 Para. 58. SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 59 explicit allowances for the additional costs associated with meeting elevated levels of design or construction quality. Such an approach has been adopted in Documents CSD-004 and 004a in relation to other matters.
 - Other build costs, such as garages should also be allowed for in line with the approach adopted in Documents CSD-004 and 004a. However, it is recognised that Policy TR04 confirms that garages will not be counted as parking provision. This may also have a cost implication though, with higher levels of external work allowances likely to be required.
 - As at Cranbrook, a costs assessment is likely to be required. The work undertaken at Cranbrook suggested an allowance of 6% of costs for professional fees was made.

- Appropriate allowances for any site profiling and cut and fill that will be required. This will be important, for instance, given the approach adopted in relation to the education campus.
- A complete and fully costed list of infrastructure required from the development should be accounted for. Depending on the outcome of the initial viability work, it may be necessary to undertake a review of this list and identify items of infrastructure that are of a lesser priority. Such an approach was adopted at Cranbrook.
- Strong consideration should be given to establishing a new CIL rate at Marlcombe of £zero psm. This would provide the opportunity for contributions to be timed to match requirements on a bespoke basis, aiding cashflow.
- An allowance should be made for the Building Safety Levy.
- The funding of any Master Developer should be accounted for.
- Other costs that should be accounted for include: TABLE 2: SUGGESTED VIABILITY INPUTS
TYPE ALLOWANCE
Finance rate 7% Marketing fees 3% Agents and legal fees 1.75% SDLT Prevailing tax rate Developer profit 15-20%
- an existing use value of between £25,000 and £35,000 per hectare. Using the approach adopted in the Council's published viability work, this would generate a BLV of between £250,000 and £700,000 per hectare. It is noted that the rate applied at Cranbrook was £300,000 per hectare. This should be applied on the gross land area.

Full name: Neil Mantell

Organisation (where relevant): LRM Planning

Other party name (if relevant): The Cherwell Group

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN02

1(b). Does your comment relate to one of the changes listed above?: Yes

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: The Cherwell Group object to Strategic Policy HN02. They have three principal concerns, as follows: ? consistency with Strategic Policy WS01; ? ambiguity; and ? viability.

7.26 Their concerns are set out below. Consistency with Strategic Policy WS01

7.27 For the Marlcombe new community, the Policy confirms that there is an aspirational target of 40% affordable housing, subject to grant funding and bespoke viability work. Reference to grant funding, however, is not made within Strategic Policy WS01.

7.28 It is the Cherwell Group's strong view that there should be no need for Strategic Policy WS01 to confirm expected levels of affordable housing within Marlcombe, for this duplicates Strategic Policy HN02. However, if the Local Planning Authority proceed with expected levels of affordable housing from Marlcombe being confirmed in both policies, then a consistent wording between both should be adopted. Ambiguity

7.29 As set out in the response to Strategic Policy WS01, as drafted, it is not considered that an "aspiration" of 40% affordable housing is sufficiently clearly written and unambiguous, for it does not confirm the precise quantum of affordable housing that is required, which is expressed as a requirement in the PPG. Viability

7.30 There is a need, in line with national planning policy, for the emerging Local Plan to establish contributions expected from development, including the levels of affordable housing provision, along with other infrastructure. This assessment work should take into account all relevant policies, local and national standards, including the cost

implications of the Community Infrastructure Levy and Section 106 obligations. The PPG confirms that affordable housing requirements should be set as a single figure, rather than a range³⁷, which in effect, is how the Policy is currently written (it could be any level of affordable housing from 0% (although noting para. 66 of the NPPF, 10%), through to 40%).

7.31 Neither Document CSD-004 or 004a provide an assessment of viability for Marlcombe. Consequently, at the time of writing, there is no evidential basis to establish an affordable housing requirement for the new community. We understand that this is being prepared by the Local Planning Authority and will be available by the Examination in Public.

7.32 However, the viability work provided at Appendix 3 confirms that it is unlikely that the 40% level of affordable housing proposed within the emerging Local Plan will be achieved, without substantial public subsidy. This conclusion has been reached having regard to: ? Documents CSD-004 and 004a, which support the conclusion of 35% affordable housing on areas outside Marlcombe (and Cranbrook) and will relate to sites with a significantly lower developer contributions package than will be required at Marlcombe; 37 MHCLG, Planning Practice Guidance, Viability, Paragraph: 001 Reference ID: 10-001-20251216. SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 51 ? the Committee Report to the 30th September 2025 Strategic Planning Committee, which confirmed that the aspiration would not be met without public subsidy. It also suggested that lower levels of affordable housing would also be unviable; and ? evidence prepared from the Cranbrook Plan, which confirmed that the expansion areas could only viably support 15% affordable housing.

7.33 It is therefore likely that, in respect of the Marlcombe new community, a modification will be required to Strategic Policy HN02.

7.34 The Cherwell Group have suggested that a more justified and effective strategy for the emerging Policy to adopt in relation to the expectations of affordable housing at Marlcombe, would be to establish a minimum quantum of affordable housing that could be viably delivered from the new community, and then to require developers to seek public subsidy up to the aspirational level of affordable housing. This would also provide a better fit with national planning policy.

7.35 Additional benefits would also result, including it: ? providing a more precise assessment of the levels of affordable housing that would be delivered from the Local Plan (without reliance on public subsidy), from which an assessment could be made of the extent to which affordable housing need within the District would be addressed; and ? would not delay developments from coming forward, whilst viability assessments were considered. This is particularly important given Document HOU-001(rev) envisages first completions at Marlcombe in 2029/30, whilst para. 74 of the NPPF

requires local planning authorities to identify opportunities for supporting rapid implementation when considering larger scale development, such as new settlements.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: LOCATION Marlcombe AFFORDABLE HOUSING AS A PERCENTAGE OF THE SITE TOTAL- XXX% [to be determined via the viability assessment underpinning the emerging Local Plan] Applicants for development within the new community will be required to seek public subsidy to increase levels of affordable housing provision from XXX%, up to 40%. - TENURE MIX OF THE AFFORDABLE HOUSING -[to be determined via the viability work]

Full name: Alex Bullock

Organisation (where relevant): LVA

Other party name (if relevant): Clyst Honiton (Holdings) LVA LLP

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN02

1(b). Does your comment relate to one of the changes listed above?: No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: HN02: Affordable Housing -as we have alluded to above, we have concerns in relation to aspects of the Councils evidence base, or lack thereof, when it comes to viability testing of affordable housing requirements. We take the view that any such assessment needs to be robust and consistent with other parts of the Council's evidence base. We therefore reserve the right to comment further on the matter as further evidence is produced and the wording for the affordable housing requirement to be clarified at a viable level.

Full name: James McMurdo

Organisation (where relevant): McMurdo Land Planning and Development Ltd

Other party name (if relevant): Stuart Partners Ltd

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN02

1(b). Does your comment relate to one of the changes listed above?: Yes

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: McMurdo Land Planning and Development Ltd on behalf of Stuart Partners Ltd.

Objection (maintained) Reasons (as per previous representations)

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The Local Plan should state how it is going to viably deliver the affordable housing need of more than 8,000 houses (it has to address the current shortfall).

Allocate more housing land in the “West End” of the district to enable affordable housing delivery and reflect in other strategic policies.

Full name: James McMurdo

Organisation (where relevant): McMurdo Land Planning and Development Ltd

Other party name (if relevant): Stuart Partners Ltd

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN02

1(b). Does your comment relate to one of the changes listed above?: Yes

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: McMurdo Land Planning and development Ltd on behalf of *** Personal details have been removed ***
Objection (maintained) Reasons (as per previously)

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

- The Local Plan should state how it is going to viably deliver the affordable housing need of more than 8,000 houses (it has to address the current shortfall).
- Allocate more housing land in the “West End” of the district to enable affordable housing delivery and reflect in other strategic policies.

Full name: Andy Shepley

Organisation (where relevant): OG Group Ltd

Other party name (if relevant): Rubix Strategic Ltd

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN02

1(b). Does your comment relate to one of the changes listed above?: No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: The need for affordable housing

4.16 Paragraph 20 of the NPPF requires that strategic policies make sufficient provision for housing including affordable housing. Similarly, the PPG (2a-024) identifies that an increased in the overall housing requirement may need to be considered where this could help deliver the required number of affordable homes.

4.17 The need for affordable housing has been calculated within the Local Housing Needs Assessment. This identifies a need for 4,108 rental affordable homes and 7,216 affordable homes for sale over the plan period in Figure 37, which provides for a total need for 11,324 affordable homes.

4.18 The Local Housing Needs Assessment then proceeds to apply affordability criteria to the number of households aspiring to home ownership notwithstanding that it is recognised in paragraph 5.54 that this is not supported by national policy or guidance. On this basis, the Local Housing Needs Assessment suggests in Figure 38 that 2,231 of the households aspiring R001v1 | NT | January 2026 10 to home ownership could actually afford market home ownership such that these are not in need of affordable housing. This leaves a need for 4,985 affordable homes for sale, which in addition to the need for 4,108 rental affordable homes provides for a total need for 9,093 affordable homes.

4.19 Similarly, in Figure 38, the Local Housing Needs Assessment suggests that 3,815 households (=1,167+2,648) aspiring to home ownership would not be able to afford affordable home ownership for sale. On this basis, the Local Housing Needs Assessment suggests that the needs of these households who aspire to home ownership and are unable to access such accommodation should be disregarded. This

is contrary to national policy and guidance and simply omits a significant element of the need for affordable housing.

4.20 As a result of this, the Local Housing Needs Assessment suggests that only 1,170 affordable homes for sale should be provided in paragraph 5.62, which in combination with the need for 4,108 rental affordable homes provides for a need for 5,278 affordable homes. However, in reality there is a need for 3,815 additional affordable homes, or 9,093 in total.

4.21 The Housing Delivery Technical Report forecasts that 5,888 affordable homes will be delivered over the plan period. It is therefore immediately apparent that whilst the policies of the emerging Local Plan will provide for the amount of affordable housing recommended by the Local Housing Needs Assessment, they will fall considerably short of meeting the full need for affordable housing. In such circumstances, as set out in the PPG, consideration will need to be given to increasing the number of homes planned for. Indeed, providing better balance between the supply of and demand for housing by delivering a greater number of homes will improve the affordability of housing meaning that some households currently aspiring to home ownership but unable to afford this may be able to do so. Similarly, increased levels of housing delivery will achieve a greater number of affordable homes of all tenures which in turn will enable those households who aspire to home ownership but who are unable to afford affordable home ownership to access rental affordable homes as an interim measure to enable them to save funds to be able to afford home ownership.

4.22 However, no consideration of the benefits of increasing overall supply to better respond to affordable housing needs appears to have been undertaken in East Devon contrary to the requirements of the PPG. This is evident from the fact that a greater number of homes could sustainably be delivered on the proposed allocation at Land at Marley Drive, Exmouth (Exmo_04a) with a consequent increase in the number of affordable homes delivered and yet this has not been considered.

Full name: Damian Lynch

Organisation (where relevant): Planning Issues

Other party name (if relevant): Churchill Living and McCarthy Stone

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN02

1(b). Does your comment relate to one of the changes listed above?: No

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: Within the context of the above considerations [see attachment for this representor], Policy – HN02: Affordable Housing is considered to be unsound given the evidence base underpinning each of these has not justified the requirements.

A generic one size fits all approach has not been justified in this case. Yet the introduction to the policy states: "Specifically included under policy are schemes for specialist housing for older people, which must provide affordable housing, where the site is delivering self-contained units (C3 and C2). Provision must accord with the levels set out below."

The above requirements include the percentage target of affordable housing together with the tenure mix of affordable housing including social rented and intermediate forms of affordable housing.

This is quite confusing given the council's own evidence base states this is not required in terms of housing need and unviable in all of the locations where land is considered to be available to deliver overall housing needs.

The policy goes on to state that: "Where the requirements set out in this policy are not proposed to be met, applicants must submit development viability evidence to justify departure. Where a lower percentage level or differing tenure mix of provision is agreed on viability grounds developers will be required to enter into an agreement that allows affordable housing contributions to be made in the future should higher levels become viable (e.g. through an 'overage' clause). The Council will also reappraise viability on subsequent phases of large schemes."

This policy is not considered to be sound and is unjustified.

We recommend that officers reconsider this policy to introduce specific reference as to how specialist housing proposals will be processed in line with affordable housing need and viability. As per our detailed previous submissions, we will happily engage with officers in order to arrive at a policy which works in practice. It is clearly based upon previous engagement in the area, local registered providers do not wish to manage on site affordable housing on these schemes for management and affordability reasons. To continue to expect this within the emerging policy is unreasonable and unrealistic in our view and a bespoke and workable affordable housing policy for older persons housing is entirely warranted. This is especially the case given that the housing needs for this typology represents broadly 10% of housing requirements over the plan period and the additional focus on Local Plan Viability within the draft NPPF currently being consulted on by government.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: [see 3(b)] - We recommend that officers reconsider this policy to introduce specific reference as to how specialist housing proposals will be processed in line with affordable housing need and viability. As per our detailed previous submissions, we will happily engage with officers in order to arrive at a policy which works in practice.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Given the seriousness of these issues, we would

therefore be grateful if we could be notified of the forthcoming examination stages and opportunities to explain these issues further in front of the appointed Inspector(s).

Full name: Elliot Jones

Organisation (where relevant): Planning Potential

Other party name (if relevant): Bloor Homes

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN02

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: The policy largely remains as written before except for the inclusion of the Marlcombe requirements. Bloor Homes (Exeter) Limited January 2026 www.planningpotential.co.uk Page 4 Copyright © Planning Potential 2026 Building on our previous representations in respect of Strategic Policy HN02, Bloor Homes continues to recognise the acute level of affordable housing need identified within East Devon and supports, in principle, the objective of securing mixed and balanced communities through the delivery of affordable housing as part of new development. In the context of Land at Littleham, Exmouth the requirement to provide 30% affordable housing, with a tenure split of 65% social rent and 35% intermediate provision, broadly aligns with the evidence presented in the East Devon Local Housing Needs Assessment and the Exmouth Housing Needs Assessment (March 2024). However, as set out in our earlier submission, it remains essential that this uplift from the Development Plan position is underpinned by robust and transparent viability testing that fully accounts for the cumulative impact of all policy requirements. The NPPF consultation (December 2025) reinforces the importance of ensuring that plan-wide affordable housing requirements are deliverable and do not undermine the overall viability of development. In this regard, the continued absence of certainty around the cost and timing of significant infrastructure requirements associated with certain proposed allocations raises ongoing concern as to whether the affordable housing quantum identified can be viably achieved alongside other obligations. While Strategic Policy HN02 appropriately provides flexibility for applicants to submit viability evidence at application stage, it is fundamental to the soundness of the plan that the policy itself is supported by a comprehensive, allocation-aware viability assessment prior to Examination, demonstrating that the combined policy ‘ask’, including affordable housing, infrastructure provision and other planning contributions, can realistically be delivered. Without such assurance, there

remains a material risk that the policy, as currently drafted, could constrain delivery and fail to meet the tests of soundness.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: While Strategic Policy HN02 appropriately provides flexibility for applicants to submit viability evidence at application stage, it is fundamental to the soundness of the plan that the policy itself is supported by a comprehensive, allocation-aware viability assessment prior to Examination, demonstrating that the combined policy ‘ask’, including affordable housing, infrastructure provision and other planning contributions, can realistically be delivered. Without such assurance, there remains a material risk that the policy, as currently drafted, could constrain delivery and fail to meet the tests of soundness.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury Manor Estate

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN02

1(b). Does your comment relate to one of the changes listed above?: Yes

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: Yes

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
Yes

3(a). If yes, and you wish to support the soundness of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: We note that this draft policy is broadly unchanged from that consulted on as part of the first regulation 19 consultation draft. We therefore remain in general support of the proposed 30% affordable housing requirement for “all other local plan allocated sites”. We consider this proportion of affordable housing more reflective of both local housing needs as well as the need to ensure new developments are viable. In this respect, we consider the emerging policy position on affordable housing as more realistic than that of the adopted Local Plan. We do however encourage the Council to ensure that the supporting evidence base is robust and supports the proposed affordable tenure splits.

4. Do you consider that this part of the Meeting Housing Needs chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: In order to represent the interests of The Sidbury Manor Estate in relation to their interests in the Land west of Two Bridges Road, Sidford (Sidm_06a), and other draft policies in the plan.

2. Do you consider that this part of the Supporting the Economy and Town Centres chapter is legally compliant?: East Devon Local Plan (Reg 19) Rep - January 2026 Final

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN02

1(b). Does your comment relate to one of the changes listed above?: Yes

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: See enclosed representations

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
Yes

3(a). If yes, and you wish to support the soundness of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: See enclosed representations We note that this draft policy is broadly unchanged from that consulted on as part of the first regulation 19 consultation draft. We therefore remain in general support of the proposed 30% affordable housing requirement for “all other local plan allocated sites”. We consider this proportion of affordable housing more reflective of both local housing needs as well as the need to ensure new developments are viable. In this respect, we consider the emerging policy position on affordable housing as more realistic than that of the adopted Local Plan. We do however encourage the Council to ensure that the supporting evidence base is robust and supports the proposed affordable tenure splits.

4. Do you consider that this part of the Meeting Housing Needs chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Meeting Housing Needs chapter's compliance with the duty to co-operate, please use this box to set out your comments.: See enclosed representations

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: In order to represent the interests of Sidbury LVA LLP in relation to their interests in the Land south of Furzehill, Sidbury (SIDM_34), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Developments Ltd

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN02

1(b). Does your comment relate to one of the changes listed above?: Yes

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: Strategic Policy HN02: Affordable housing We note that this draft policy is broadly unchanged from that consulted on as part of the first regulation 19 consultation draft. We therefore remain in general support of the proposed 30% affordable housing requirement for “all other local plan allocated sites”. We consider this proportion of affordable housing more reflective of both local housing needs as well as the need to ensure new developments are viable. In this respect, we consider the emerging policy position on affordable housing as more realistic than that of the adopted Local Plan. We do however encourage the Council to ensure that the supporting evidence base is robust and supports the proposed affordable tenure splits.

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: Strategic Policy HN02: Affordable housing We note that this draft policy is broadly unchanged from that consulted on as part of the first regulation 19 consultation draft. We therefore remain in general support of the proposed 30% affordable housing requirement for “all other local plan allocated sites”. We consider this proportion of affordable housing more reflective of both local housing needs as well as the need to ensure new developments are viable. In this respect, we consider the emerging policy position on affordable housing as more realistic than that of the adopted Local Plan. We do however encourage the Council to ensure that the supporting evidence base is robust and supports the proposed affordable tenure splits.

4. Do you consider that this part of the Meeting Housing Needs chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: In order to represent the interests of 3West Group in relation to their interests in the Land north and east of Exton Farm (Wood_28), and other draft policies in the plan.

Full name: Nathan Price

Organisation (where relevant): Tetlow King Planning

Other party name (if relevant): South West Housing Association Planning Consortium

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN02

1(b). Does your comment relate to one of the changes listed above?: No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: We reiterate our comments made in response to the first Regulation 19 consultation. The SWHAPC emphasises that the affordable housing requirement in draft Strategic Policy HN02 is a reduction in the current Local Plan policy. Outlined at Strategy 34, the current Local Plan states that areas outside of those listed (Axminster, Exmouth, Honiton, Ottery St Mary, Seaton and major strategic ‘West End’ development sites) will be subject to a 50% affordable housing requirement. The SWHAPC requests that this 50% affordable housing requirement for qualifying sites remains within the Local Plan to ensure that affordable housing is maximised within the District. Draft Policy HN02 part (a) adds that affordable housing secured through policy must “Remain affordable in perpetuity”. National policy only makes one reference to securing affordable housing in perpetuity, which is in reference to rural exception sites in Annex 2 of the NPPF (December 2024): “Rural exception sites: Small sites used for affordable housing in perpetuity where sites would not normally be used for housing...” (Emphasis added) We ask that the Council considers other mechanisms for ‘perpetuity’ where necessary, including Registered Providers recycling public subsidy to reinvest in new stock. The application of such policy would significantly constrain investment and the provision of affordable housing. In respect of clawback, the conversion to any alternative tenure (for example, from rent to shared ownership) would only occur through a revision to the planning consent following a viability challenge, and it could therefore be argued that a clawback mechanism is unnecessary in these circumstances. Clawback is more relevant where affordable homes are converted to unrestricted market housing, in which case it would be addressed through the CIL process. Draft Policy HN02 part (b) adds that affordable housing “Be provided on-site and dispersed in small clusters across the site in a way that is indistinguishable in terms of design and materials from any market housing”. This policy would benefit from greater clarity on what is meant by “small clusters”, as the

current wording is overly subjective. Pepper-potting is not a viable approach for registered providers due to the associated management costs, and the policy also fails to allow for the use of additional grant funding to bring forward 100% affordable housing schemes that are otherwise approved as mixed-tenure developments.

Full name: MR D. MORGAN

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN02

1(b). Does your comment relate to one of the changes listed above?: Yes

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: (Page 150). Quote: 'Affordable housing as a percentage of the site total': "An aspiration for 40% through grant funding and bespoke viability work for the new community."

I do not support the use of the word "aspiration" in this revised statement in relation to affordable housing provision for the new community of Marlcombe. The term "aspiration" does not demonstrate a robust commitment to trying to deliver 40-percent affordable housing provision, but potentially a more flexible, reduced level. This 'flexible' approach would ultimately not meet the district's wider requirements for affordable housing provision, where any shortfall at Marlcombe might not be deliverable in other settlements. Furthermore, it would potentially be open for negotiation and manipulation by developers seeking to reduce their onsite provision of affordable housing, which has been evident during the life of the current adopted East Devon Local Plan. The emerging new East Devon Local Plan, therefore, must demonstrate a more rigid and committed requirement that this new settlement does deliver the minimum requirement of 40% on-site affordable housing provision.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: This sentence needs to be rewritten to read as: "A commitment to deliver affordable housing for at least 40% will be sought for the new community, including through grant funding and bespoke viability work."

4. Do you consider that this part of the Meeting Housing Needs chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Tamsin Robertson

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN02

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: Chapter 8: Housing Needs

The real need in Exmouth is for houses of mixed tenure, including social rent, for people on low wages. Has Exmouth Town Council's assessment of housing need been consulted?

The vast majority of houses proposed for the prime site of Exmo_17 would be high-end, bought by people from outside the area. If estates were built outside the National Landscape, the land would be cheaper, giving scope for building a bigger percentage of the affordable/rentable houses we need.

Past experience tells us that the number of affordable houses will likely be fewer than proposed.

Full name: Rachel Danemann

Organisation (where relevant): Home Builders Federation

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN02

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy.

As mentioned in response to Policy HN01: Housing to address needs, without the whole plan viability appraisal the Plan has not justified its policies or shown them to be effective, and the Plan is therefore unsound.

It will be important for the delivery of the Plan that where necessary the policies in the Plan to allow for flexibility on viability issues. HBF question would question the robustness of any Local Plan Viability Assessment which failed to fully consider the wide range of challenges and additional costs and increasing regulations facing developers at this time.

For example, HBF information suggests that complying with the current new part L is costing £3500 per plot. The Future Homes Standard Part L in 2025 is anticipated to cost up to £7500+ per plot. There will also be the addition of the Building Safety Levy that is coming in [to] pay for cladding. This will be a per plot basis around the UK, and the figures have now been published- for East Devon they are £17.03 per square metre for brownfield land and £34.06 psm for greenfield.

Other factors that need to be taken into account include increasing costs of materials and labour due to inflation and the costs of mandatory BNG, which are still emerging as

the off-site market is yet to be established. HBF members are reporting costs of £20-30k per off-site BNG unit. Although the initial price of statutory credits is now known this national fallback option has been deliberately highly priced to discourage their use. Whilst this intention is understandable, at present the lack of functioning local markets for off-site credits causes viability problems because HBF members experience to date suggests that any scheme that needed to rely on statutory credits would become unviable.

As the development of older persons housing is different for a number of reasons, including in particular the need for communal space, there to consider the viability of older person's housing differently. The Council's own viability appraisal should acknowledge this factor and model older persons (age restricted) housing separately from the consideration of market and affordable homes.

Whole Plan viability testing is an important part of the plan-making process. However, as noted in PPG (ID: 10-003-20180724) assessing the viability of plans does not require individual testing of every site or assurance that individual sites are viable, and therefore flexibility in the amount of affordable housing sought may be needed to deal with site specific issues.

At a very basic level viability can be improved by reducing costs or increasing values. Sometimes therefore changing the type of affordable housing provided can help to improve viability of a specific site, and the plan should recognise this. In this example a change of the percentages of different types of affordable housing provided, such as allowing more discounted sale affordable housing, but the headline figure of how much affordable housing is provided would remain the same. This is another reason why flexibility within the Affordable Housing policy is needed.

We would also question the ability of the Council to provide further Guidance via SPDs, in light of the new plan-making system and the shift away from SPDs as an option.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: See 3(b)

HN03

Full name: Dee Woods

Organisation (where relevant): Otter Valley Association

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN03

1(b). Does your comment relate to one of the changes listed above?: Yes

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: Yes

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: With an above average older population we welcome Policies HN03 and HN04. Many more small homes are also required for first time buyers, and families who are priced out of the market. Also provision for decent sized gardens for houses is essential as outdoor space is important for wellbeing, and likely to become more so with hotter summers.

4. Do you consider that this part of the Meeting Housing Needs chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: We wish to ensure that the housing needs estimates are fully considered and corrected if necessary.

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN03

1(b). Does your comment relate to one of the changes listed above?: Yes

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
Yes

3(a). If yes, and you wish to support the soundness of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: DCC supports the removal of “affordable” in the first paragraph given inclusion of a requirement for specialist housing for older people to provide affordable housing in Policy HN02.

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): 3West Developments Ltd

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN03

1(b). Does your comment relate to one of the changes listed above?: No

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: *** Personal details have been removed *** continues to support the principle of Policy HN03, and the importance of providing housing that meets the needs of older people is recognised, given the evidence that there is a requirement for an increased number of units for older persons as a result of an ageing population across the District. However, *** Personal details have been removed *** continue to have concerns regarding viability and the lack of consideration afforded to this in the consideration of this policy, as well as the specific locational requirements associated with specialist older persons housing.

It is acknowledged that, subject to commercial viability, housing proposals are required such that “schemes for 200 or more dwellings should include at least 10% as on-site as specialist older persons dwellings as either C3 dwellings and/or C2 equivalents”.

It is considered that the current policy wording is neither effective nor justified, as it does not adequately address the specific locational requirements of specialist housing (including, for example, proximity to town centres, or access to established public transport corridors). The policy, as currently worded, may result in such dwelling types not being suitable on certain major development sites. As drafted, the policy is therefore considered unsound.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have

identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: *** Personal details have been removed *** continues to

reiterate that the policy wording should be revised to make clear that older person's units will only be required where there is an up to date evidence base, a demonstratable market demand (including the location being a suitable and desirable one for such a use), and where the provision of such units is viable.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Our attendance is necessary to effectively discuss the points raised in these representations.

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): 3West Developments Ltd

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN03

1(b). Does your comment relate to one of the changes listed above?: No

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: No

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.:

2.47 3West recognise that there is an increased demand for adaptable dwellings due to the ageing population. Notwithstanding this, viability and site location must be factored into policy requirements , given that not all sites would be appropriate to accommodate such provision.

2.48 The current policy wording states that “schemes for 200 or more dwellings should include at least 10% as on-site as specialist older persons dwellings as either C3 dwellings and/or C2 equivalents”.

2.49 It is considered that the policy, as currently worded, is neither effective nor justified, as it fails to recognise the specific locational requirements of specialist housing, such as proximity to town centres and access to public transport. As currently drafted, it risks requiring such accommodation on sites where it would be unsuitable, thus meaning the policy is unsound. The wording should be amended to clarify that older persons’ housing will only be required where supported by an up-to-date evidence base, demonstrable market demand, and where delivery is viable.

2.50 The policy should also explicitly address market demand for older persons’ housing and confirm that, where no such demand exists, the units should revert to general market housing.

4. Do you consider that this part of the Meeting Housing Needs chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Our attendance is necessary to effectively discuss the points raised in these representations.

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Vistry Group

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN03

1(b). Does your comment relate to one of the changes listed above?: No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: Strategic Policy HN03: Housing to Meet the Needs of Older People

2.46 Vistry support the principle of Strategic Policy HN03, however consider that the current policy wording is not effective, nor justified, for the following reasons:

- Whilst the need for units for older persons within EDDC is acknowledged, greater emphasis should be placed on the viability of this provision.
- Not all sites will be suitable to provide older persons specialist housing and should therefore be assessed on a case-by-case basis.
- The required provision for sites should be determined on a case-by-case basis, using evidence where necessary to demonstrate that there is a market demand the specific needs of the local area.

2.47 The policy text must be reworded to recognise that older persons units will only be required where there is up to date evidence and an evidenced market demand, subject to viability.

2.48 Addlepool Farm would create a new sustainable village and destination. Should there be a demand for specialised homes, these could be delivered as part of the future scheme in accordance with Strategic Policy HN03.

Full name: Danielle Halford

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Persimmon Homes South West Limited

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN03

1(b). Does your comment relate to one of the changes listed above?: Yes

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: Strategic Policy
HN03: Housing to Meet the Needs of Older People

2.25 It is noted that minor amendments have been made to Policy HN03. Whilst PHSW support the principles of Strategic Policy HN03, we are disappointed to see that our previous comments have not been noted within the Draft LP text. The current policy wording is therefore still not effective nor justified as it does not address the specific locational requirements of specialist housing.

2.26 PHSW acknowledge that there is a need to address the growing need for diverse housing options within East Devon. However, sites should be considered on a case-by-case basis. PHSW support the requirement of specialist older persons dwellings at 10%, however, this

does not consider the need for specialist housing within specific areas of East Devon, where there may not be a 10% need.

2.27 The policy wording should be revised to make clear that older persons units will only be required where there is an up to date evidence base and a demonstratable market demand, and where the provision of such units is viable.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The policy wording should be revised to make clear that older persons units will only be required where there is an up to date evidence base and a demonstratable market demand, and where the provision of such units is viable.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Our attendance is necessary to effectively discuss the points raised in these representations.

Full name: Zoe Mason

Organisation (where relevant): Lichfields

Other party name (if relevant): Mr M and Mr R Nanciekivell

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN03

1(b). Does your comment relate to one of the changes listed above?: No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: The NPPF explains that within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. This includes housing for older people.

5.8 In this case, no justification has been provided as to how the threshold or requirement has determined. Moreover, some sites may not be suitable for housing for older people and on other sites this type of housing will not be viable. The policy is also unclear as to how “specialist older person dwellings” is defined (beyond Use Class). On this basis, the policy is not considered to be sound as it is not effective or justified or consistent with national policy.

Full name: Neil Mantell

Organisation (where relevant): LRM Planning

Other party name (if relevant): The Cherwell Group

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN03

1(b). Does your comment relate to one of the changes listed above?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: For developments of 200 dwellings or more, emerging Policy HN03 requires at least 10% of the dwellings provided within the development to be specialist older person dwellings. Over the longer term, this could equate to 1,000 homes within the second new community.

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: Whilst potentially having a significant impact on its delivery and viability, the Cherwell Group is also concerned that the application of Strategic Policy WS01 and emerging Policy HN03 could create ‘mutually irreconcilable’ policy tensions.

7.38 For instance, at present, the Council’s masterplan does not propose a local or neighbourhood centre within the Axehayes Farm element of the new community. Should that distribution of land uses be taken forward into the site wide masterplan to be agreed during the development management process, then any proposal that included such services and facilities within Axehayes Farm would conflict with Strategic Policy WS01. However, equally, there will remain a requirement for the development proposals to provide housing for the elderly, which, as stated within limb B of the Policy, will need to be within 400m walking distance of local facilities and shops.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: To remedy the effectiveness of the Policy, either: ? a greater flexibility should be included within the Policy or its supporting text; or ? the Local

Planning Authority should consider specifically allocating specialist accommodation in the right locations, rather than relying on all housing allocations to make a contribution to meeting needs; or ? in the case of the new community, Strategic Policy WS01, or its supporting text, should confirm that such provision should be located within 400m of the town and local centres.

Full name: Damian Lynch

Organisation (where relevant): Planning Issues

Other party name (if relevant): Churchill Living and McCarthy Stone

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN03

1(b). Does your comment relate to one of the changes listed above?: No

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: Within the context of the above considerations [see attachment for this representor], Policy HN03: Housing to meet the needs of older people is considered to be unsound given the evidence base underpinning each of these has not justified the requirements.

Paragraph 1 of the PPG Housing for Older and Disabled people states: “The need to provide housing for older people is critical. People are living longer lives and the proportion of older people in the population is increasing. Offering older people, a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems. Therefore, an understanding of how the ageing population affects housing needs is something to be considered from the early stages of plan-making through to decision-taking”. Paragraph: 001 Reference ID: 63-001-20190626

The delivery of a suitable level of specialist older persons’ housing will be a substantial undertaking over the Local Plan period and unless action is urgently taken the Council will struggle to address this need.

This draft policy states that the Council will support development that widens choice by securing a more diverse supply of market and affordable housing for older people in East Devon.

The policy then goes on to prescribe that "Any development proposals with housing to accommodate older people will need to: A. Demonstrate how the design and layout addresses the health and well-being needs of older people including, where appropriate to the proposal, those with dementia and other long-term conditions; B. Locate all older person housing within 400 meters walking distance of local facilities and shops; C. Be well-served by public transport; D. Have high levels of accessibility with flat or relatively flat neighbouring topography, dropped kerbs and pedestrian road crossings to promote access by ambulant older people, wheelchair users and mobility scooters; E. Provide adequate communal facilities, including on-site accommodation where required, for essential staff; F. Be supported by a Care Needs Assessment to justify the development proposal's scale, tenure and accommodation type.

Unfortunately, some of these requirements are overly prescriptive and unnecessary and confuse the differences between types of housing for older people.

We recommend that the above list is condensed to simply say: "Housing designed to accommodate older people should be carefully considered in terms of location and design so that the end user will benefit from a form of high-quality accommodation which will address their specific needs."

It is also worth highlighting that the requirement to provide 10% of dwellings for older people on sites of 50 + dwellings is unlikely to result in older persons housing of a viable scale. Allocating specific sites within the local plan in sustainable town centre or edge of town centre locations for older persons housing is likely to be more successful in delivering this typology.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: [see 3(b)- We recommend that the above list is condensed to simply say: "Housing designed to accommodate older people should be carefully

considered in terms of location and design so that the end user will benefit from a form of high-quality accommodation which will address their specific needs."

It is also worth highlighting that the requirement to provide 10% of dwellings for older people on sites of 50 + dwellings is unlikely to result in older persons housing of a viable scale. Allocating specific sites within the local plan in sustainable town centre or edge of town centre locations for older persons housing is likely to be more successful in delivering this typology.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Given the seriousness of these issues, we would therefore be grateful if we could be notified of the forthcoming examination stages and opportunities to explain these issues further in front of the appointed Inspector(s).

Full name: Elliot Jones

Organisation (where relevant): Planning Potential

Other party name (if relevant): Bloor Homes

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN03

1(b). Does your comment relate to one of the changes listed above?: Yes

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: The principle of the policy remains the same, with changes centred on clarification. In respect of Policy HN03, Bloor Homes continues to support the principle of widening housing choice for older people and recognises the role that both C2 and age-appropriate C3 accommodation can play in meeting identified needs across East Devon. However, concerns remain that the policy, as currently drafted and carried forward in the latest consultation, applies a uniform, site-wide requirement that does not adequately reflect the varied characteristics, constraints and opportunities of individual allocations. In particular, the expectation that larger housing sites should deliver a minimum of 10% specialist older person accommodation on-site, subject only to commercial viability, risks unduly constraining deliverability where sites may not meet the locational or accessibility criteria necessary for such accommodation to function effectively, including proximity to services, public transport, and healthcare facilities. The new consultation does not provide further clarity on whether this requirement is intended to operate in addition to, or as part of, the affordable housing provision under Policy HN02; in the absence of such clarity, it must be assumed that it represents an additional requirement. For allocations such as Land to the South of Littleham, this would result in an effective expectation that up to 40% of dwellings are either specialist or affordable in nature, alongside significant infrastructure and mitigation obligations such as Suitable Alternative Natural Greenspace. This cumulative policy burden raises serious viability concerns and risks undermining the effectiveness of the plan. Furthermore, the Council's approach does not sufficiently acknowledge that large, mixed-tenure developments are already well-placed to meet the needs of older people through a diverse range of dwelling sizes and typologies, alongside enhanced Building Regulations requirements for accessible and adaptable homes (including M4(2) and M4(3)). In this context, the additional blanket requirement for specialist older person accommodation

is unnecessary and disproportionate. To ensure compliance with the NPPF and the tests of soundness, Policy HN03 should be amended to provide greater flexibility, clarify its relationship with affordable housing requirements, and, if necessary, rely on the targeted allocation of specialist older person accommodation in the most appropriate and sustainable locations rather than imposing a universal requirement across all major housing sites.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: To ensure compliance with the NPPF and the tests of soundness, Policy HN03 should be amended to provide greater flexibility, clarify its relationship with affordable housing requirements, and, if necessary, rely on the targeted allocation of specialist older person accommodation in the most appropriate and sustainable locations rather than imposing a universal requirement across all major housing sites.

Full name: Martin Stockley

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN03

1(b). Does your comment relate to one of the changes listed above?: Yes

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: HN03 - policy states that there should be provision of homes for older people and that they should be within 400 metres of shops, with relatively flat walking topography, and well served by public transport. That sounds great, but how can that be achieved in eg, Ottery St Mary, Sidmouth, Honiton, Axminster etc?

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Needs specific plans for older people.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Rachel Danemann

Organisation (where relevant): Home Builders Federation

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN03

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy.

HBF suggest this policy needs to be updated to reflect the range of innovations in this sector, and as mentioned above [see HBF responses to Policies HN01 and HN02) we [are] concerned about the lack of evidence of viability, and the additional costs and additional regulation which are impacting on the viability and deliverability of new housing, including that for older people.

HN04

Full name: Dee Woods

Organisation (where relevant): Otter Valley Association

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN04

1(b). Does your comment relate to one of the changes listed above?: Yes

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: Yes

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: With an above average older population we welcome Policies HN03 and HN04. Many more small homes are also required for first time buyers, and families who are priced out of the market. Also provision for decent sized gardens for houses is essential as outdoor space is important for wellbeing, and likely to become more so with hotter summers.

4. Do you consider that this part of the Meeting Housing Needs chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: We wish to ensure that the housing needs estimates are fully considered and corrected if necessary.

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN04

1(b). Does your comment relate to one of the changes listed above?: Yes

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: DCC notes that the M4(2) requirements have decreased from 100% to 50% due to a reduction of need identified in the updated Housing Needs Assessment (dated October 2025). The county council notes the Building Regulation consultation 2022 that indicated the Government is likely to mandate M4(2) as a minimum for all new homes. Therefore, it is considered that changes to the M4(2) requirements will be progressed under the Building Regulations.

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Taylor Wimpey UK Ltd

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN04

1(b). Does your comment relate to one of the changes listed above?: No

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: Taylor Wimpey welcome the reduction from 100% to 50% of all new dwellings to meet the regulation M4(2) requirements or higher, however raise concerns over the uplift in the need of all new affordable homes to meet building regulation M4(3) (2) (a) or (b) requirements.

The increase in the requirement for all new affordable homes to meet building regulation M4(3) (2) (a) or (b) requirements from 5% to 15% raises concerns in regard to the viability of future developments.

The Local Plan Viability Assessment Addendum, published in November 2025, and sets out the considerations made during the previous Regulation 19 Consultation representations regarding viability. The assessment also consider changes made since the previous Local Plan Viability Assessment was published.

The assessment addendum identifies the Site (GH/ED/39b) as a Res7a site for 300 dwellings. The table below [see attachment] demonstrates the net in-combination impact from the reduction in M4(2) and the increase in M4(3) for typologies with affordable housing. The table [see attachment] demonstrates that development of 300 dwellings would result in a cost reduction of £123,243 as a result of the amendments made to the policy. Taylor Wimpey consider that this does not represent an accurate representation of reduction in cost for a development of this scale at the Site. The policy

is therefore considered to be unsound, and further viability work should be undertaken to better represent the value of reductions.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Our attendance is necessary to effectively discuss the points raised in these representations.

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): 3West Developments Ltd

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN04

1(b). Does your comment relate to one of the changes listed above?: Yes

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: No

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.:

2.51 3West Developments recognises the increasing demand for accessible and adaptable homes and supports the overall objectives of Strategic Policy HN04. The reduction in the proportion of new dwellings required to meet Building Regulations M4(2) or higher from 100% to 50% is welcomed, as it provides a more balanced and deliverable approach. It should be noted by the LPA that this will place increased cost and issue on development layouts and viability.

2.52 However, the Draft Local Plan also proposes to increase the proportion of new affordable homes required to meet Building Regulations M4(3) (2)(a) or (b) from 5% to 15%. 3West Developments has significant concerns shares the concerns raised by the Home Builders Federation, and considers that, when combined with the continued requirement for 50% of all dwellings to meet M4(2) standards, the policy would have a substantial impact on development viability.

2.53 National policy is clear that Local Plan policies must be realistic, proportionate and deliverable when considered cumulatively. Evidence published by the Home Builders Federation demonstrates that M4(3) requirements can result in significant cost increases, reduced layout efficiency and greater design constraints, particularly on sites with level changes, complex topography or higher infrastructure demands. These impacts are exacerbated when combined with a requirement for 50% of all dwellings to meet M4(2) standards.

2.54 Accordingly, 3West Developments considers that the proposed uplift to 15% M4(3) affordable housing is not sufficiently justified and risks undermining the effective delivery of strategic allocations.

4. Do you consider that this part of the Meeting Housing Needs chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Our attendance is necessary to effectively discuss the points raised in these representations.

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Vistry Group

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN04

1(b). Does your comment relate to one of the changes listed above?: No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: Vistry recognise the growing need for accessible homes and support the principle of Strategic Policy HN04. We welcome the reduction from 100% to 50% that all new dwellings meeting regulation M4(2) requirements or higher.

2.50 The Draft LP has increased the requirement for all new affordable homes to meet building regulation M4(3) (2) (a) or (b) requirements from 5% to 15%. Vistry raises significant concern with regards to this change and its implications on the viability of future developments.

Full name: Phillippa Gatehouse

Organisation (where relevant): C G Fry & Son Ltd

Other party name (if relevant): Mr & Mrs Cowling

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN04

1(b). Does your comment relate to one of the changes listed above?: Yes

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: 50% M4(2) While we welcome the reduced requirement for M4(2) standards down to 50% there would still be concerns with meeting this on some sites. Additionally, the added reference to “or higher standards” creates uncertainty and undermines the clarity of the policy.

As set out previously many sites do not have suitable topography to fully meet the M4(2) standards, M4 (2) external parking standard has a potentially significant cumulative effect on developable areas affecting site yield and/or street scene quality and for flat blocks this will require lifts which for occupiers and in particular RP's would cause additional maintenance costs burdens.

A more reasonable and achievable level would be 30%.

It is also maintained that mandating M4(2) standards on self and custom build plots (discussed further below) would go against the essence of allowing people to design and build their own bespoke home.

15% affordable rent M4 (3) (a) or affordable homeownership M4 (3) (a) or (b) Reference to the provision of either M4 (3) (a) or (b) welcomed but need should be evidenced. For all the reasons set out previously the provision of M (3) units raise issues of viability and site coverage, and such a high percentage is not considered justified.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The following amendments are required for the policy to be considered sound:

Point A: A further reduced percentage requirement (e.g. 30%) for M4 (2) dwellings would be more acceptable and reasonable for the reasons set out in previous representations. Delete “or higher standards than this” at point A Flats, 1 bed units, and self and custom build plots should be excluded entirely.

Point D: M4 (3) a or b only where up to date evidence of need and subject to appropriate testing of viability through the Local Plan process including what assumptions have been made in relation to the requirement for M4(3)(2)(a) (wheelchair adaptable) vs M4(3)(2)(b) (wheelchair accessible), the latter of which is considerably more expensive.

Full name: Simon Coles

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): Stuart Partners Ltd

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN04

1(b). Does your comment relate to one of the changes listed above?: Yes

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No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: 50% M4(2) While we welcome the reduced requirement for M4(2) standards down to 50% there would still be concerns with meeting this on some sites. Additionally, the added reference to “or higher standards” creates uncertainty and undermines the clarity of the policy. As set out previously many sites do not have suitable topography to fully meet the M4(2) standards, M4 (2) external parking standard has a potentially significant cumulative effect on developable areas affecting site yield and/or street scene quality and for flat blocks this will require lifts which for occupiers and in particular RP’s would cause additional maintenance costs burdens. A more reasonable and achievable level would be 30%. It is also maintained that mandating M4(2) standards on self and custom build plots (discussed further below) would go against the essence of allowing people to design and build their own bespoke home.

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Point D: M4 (3) a or b only where up to date evidence of need and subject to appropriate testing of viability through the Local Plan process including what assumptions have been made in relation to the requirement for M4(3)(2)(a) (wheelchair adaptable) vs M4(3)(2)(b) (wheelchair accessible), the latter of which is considerably more expensive

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Simon Coles

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): Stuart Partners Ltd

Proposal:

8. Meeting Housing Needs

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Full name: Samantha Thomas

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): Stuart Partners Ltd

Proposal:

8. Meeting Housing Needs

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Full name: Samantha Thomas

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): Stuart Partners Ltd

Proposal:

8. Meeting Housing Needs

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5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Samantha Thomas

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): Stuart Partners Ltd

Proposal:

8. Meeting Housing Needs

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Full name: Samantha Thomas

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): Stuart Partners Ltd

Proposal:

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Full name: Neil Mantell

Organisation (where relevant): LRM Planning

Other party name (if relevant): The Cherwell Group

Proposal:

8. Meeting Housing Needs

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1(b). Does your comment relate to one of the changes listed above?: No

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.:

7.40 The PPG states³⁸ that local planning authorities should set out how they intend to approach demonstrating the need for M4(2) (accessible and adaptable dwellings) and/or M4(3) (wheelchair user dwellings). It suggests a range of factors which should be taken into account, and which include: ? the likely future need for housing for older and disabled people (including wheelchair user dwellings); ? size, location, type and quality of dwellings needed to meet specifically evidenced needs (for example retirement homes, sheltered homes or care homes); ? the accessibility and adaptability of existing housing stock; ? how needs vary across different housing tenures; and ? the overall impact on viability.

7.41 The evidence base supporting the Plan³⁹ suggests that the combined need for both Category M4(2) and M4(3) housing is between 3,357 and 8,343 homes. The upper limit assumes that no households are able to adapt their own home, or to move to a home in the existing housing stock to meet their needs. This represents between 16% and 40% of the overall housing requirement. 38 MHCLG, Planning Practice Guidance, Housing: optional technical standards , Paragraph: 007 Reference ID: 56-007-20150327. 39 ORS , Local Housing Needs Assessment (2025), para. 7.60. SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 53

7.42 Assuming that no M4(2) or M4(3) units have been secured in the period between 1st April 2020 and 31st March 2025, then the requirement for accessible and adaptable housing would be between 20% and 50% of the residual housing requirement (16,705).

7.43 As such, the only way that the emerging target for accessible and adaptable housing proposed within Policy HN04 (50%) is justified, is on the basis that no such housing was secured in the period 2020 to 2025 and no existing household in the period up to 2042 will be able to adapt their home, or are not able to move to an existing home to meet their needs. As Strategy 36 of the 2016 Local Plan requires, on developments of 10 homes or more, that all affordable homes and 20% of open market housing to be constructed to Category M4(2) standards, this seems unlikely.

7.44 Consequently, the Cherwell Group consider that the Policy is not justified.

Full name: Laura Grimason

Organisation (where relevant): Pegasus Group

Other party name (if relevant): Taylor Wimpey Strategic Land

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

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1(b). Does your comment relate to one of the changes listed above?: No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: Part A of this policy seeks to secure a percentage of dwellings built to Building Regulation M4(2) (accessible and adaptable dwellings). The percentage requirement has been reduced to 50% from 100% at the first Regulation 19 consultation stage and this is a step in the right direction. We note however, that there should be flexibility built into the policy to allow for negotiation on this where technical or financial viability prevent this requirement being met in full. Part C of this policy seeks to secure at least 15% of all new affordable housing for rent or affordable home ownership built to Building Regulation M4(3)(2)(a) or (b) requirements (wheelchair adaptable). This is an increase on the 5% included in the first round of Regulation 19 consultation. We object to this increase and note that a 15% requirement is overly prescriptive, particularly when there is no flexibility in the policy for an alternative approach to be agreed in the case that technical or financial viability prevent this requirement being met in full.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: there should be flexibility built into the policy

Full name: Emma Morrison

Organisation (where relevant): Pegasus Group

Other party name (if relevant): The Co-op Group Food Ltd.

Proposal:

8. Meeting Housing Needs

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No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.:

4.27. This policy requires at least 50% of residential schemes to be built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations. There is no flexibility in this requirement.

4.28. The PPG identifies the type of evidence required to introduce a policy requiring the M4 standards, including the likely future need; the size, location, type, and quality of dwellings needed; the accessibility and adaptability of the existing stock; how the needs vary across different housing tenures; and the overall viability. The PPG also identifies other requirements for the policy including the need to consider site specific factors such as vulnerability to flooding, site topography and other circumstances, and the ability to provide step-free access.

4.29. The evidence supporting the Plan (HOU-002) seems to support the minimum need for only 17% of dwelling to be adaptable in Figure 59 of the 2025 Housing Need Assessment.

4.30. Co-op therefore considers that the Council have not yet provided sufficient evidence for this policy to be considered justified or consistent with national policy.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Damian Lynch

Organisation (where relevant): Planning Issues

Other party name (if relevant): Churchill Living and McCarthy Stone

Proposal:

8. Meeting Housing Needs

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1(b). Does your comment relate to one of the changes listed above?: No

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: Within the context of the above considerations [see attachment for this representor], Policy HN04: Accessible and adaptable Housing is considered to be unsound given the evidence base underpinning each of these has not justified the requirements.

The draft policy states that:

"B. 700% of all new specialist accommodation for older people will meet regulation f\14 (3) requirements (a) or (b) (wheelchair user dwellings); C 700% of new specialist accommodation for older people will meet regulation f\14 (3) (2) (b) requirements (wheelchair accessible dwellings) for those dwellings where the local authority is responsible for allocating or nominating a person to live in a dwelling;"

We suggest that the council clarify this position in respect of point B above which presumably should be M4 (2).

Although the plan wide viability study states that it has tested to M4(3) for older persons housing, no adjustments are made for the larger units required to meet this fully wheelchair accessible standard. To provide all units to full M4(3) standard would in our experience, reduce the number of units deliverable by 10-15 units. The testing

undertaken by the council's viability consultant is not in our view robust on this point and must be updated to reflect this consideration.

As set out at Regulation 18 stage.

Footnote 49 of the Framework clearly sets out that planning policies for housing should make use of the Government's optional technical standards for accessible and adaptable housing, where this would address an identified need for such properties.

Paragraph 002 (Reference ID 56-002-20160519) of the Planning Practice Guidance (PPG) reiterates that local planning authorities have the option to set additional technical requirements for accessibility and adaptability, however, they will need to gather evidence to determine whether there is a need for additional standards in their area, and justify setting appropriate policies in their Local Plans.

The supporting text for this policy advises that: "8.43 M4(3) Category 3 Category 3 wheelchair users housing Based on gross modelled need, the ORS study forecasts a net additional 1,010 households over the plan period in East Devon will need wheelchair adapted housing. This equates to about 6% of the local housing need. The 5,119 net adapted need housing already encompasses households counted as having a health problems or disability that affects their housing need. That figure already includes households with wheelchair users so the latter should not be double counted. There's also a very significant overlap between wheelchair users housing need and the forecast additional 6,224 specialist older persons housing need. The study concludes that it may be appropriate to adopt a target of 100% wheelchair accessible housing. This could reduce the proportion of general needs housing that would need to meet the M4(3) Category 3 requirements."

The East Devon, Exeter, Mid Devon and Teignbridge Local Housing Needs Assessment by OBR (Sept 2022) provides the following justification for 100% of specialist older persons' housing to be built to M4(3): "7.56 Whilst not all over 75 households needing wheelchair adapted housing will live in specialist older person housing, it is likely that at least a tenth of those moving to specialist older housing will need wheelchair adapted homes. It is also likely that some older households will progress to using a wheelchair whilst living in specialist housing due to a deterioration in their health. Considering that a given older persons residence may house multiple residents in its lifetime, it becomes

even more likely that at some stage a resident requires a wheelchair. Furthermore, it may be noted that where it is possible to retrospectively adapt residences, this may be costly or difficult.

7.57 On this basis it may be appropriate to adopt a target of 100% wheelchair accessibility (where viable) for specialist accommodation for older people to avoid potential inequality of provision. This could also reduce the proportion of general needs housing that would need to meet the M4(3) Category 3 requirements."

The respondents consider the justification for a 100% M4(3) requirement for wheelchair adaptations is predicated on several flawed assumptions. In the first instance, the rationale that 9.3% of households where the representative was 85 years and older require a wheelchair does not mean that a tenth of those moving into specialist older persons' housing, particularly specialist housing for the active elderly, will require wheelchair accessible housing.

Churchill Retirement Living have been building retirement living apartments since 1994 and have accrued significant expertise in building specialist housing that enables older people to live independently. Recent research into existing Churchill Retirement Living developments has resoundingly demonstrated that there is no need for our apartments to meet M4(3) requirements with less than 1% of our occupiers using a wheelchair full time.

Factors that contribute to the low-level of wheelchair need for retirement living housing are that long-term or lifetime wheelchair users will have moved into suitably adapted homes earlier in their lives and are more likely to remain in these homes.

Individuals who move into a retirement living apartment but then require a wheelchair in the short-term due to a bout of illness or a physical injury, can do so in a home built to M4(2) as rooms and circulation space can accommodate a wheelchair.

Individuals who progress to needing a wheelchair permanently, do so as a result of serious illness or injury in which case specialist accommodation with a greater degree of care, such as a residential care or nursing home is more likely to be appropriate.

People with long term mobility disabilities would be in a different setting and as such would not occupy an independent living retirement development. Given the lack of demand for the requirement for M4(3) in this form of accommodation it would simply be a cost to development and ultimately an increased purchase cost whilst serving no identified need.

Building to M4(2) provides sufficient accessibility and adaptability for all our current users and future users and is very much in keeping with the product of providing an independent retirement living lifestyle for those aged 60 and over.

Additionally, Paragraph 009 (Reference ID: 56-009-20150327) of the PPG sets out that local plan policies for wheelchair accessible homes should be applied only to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling.

There is no policy requirement or control that the LPA can impose over open market private apartments that could mandate that they must be sold to a wheelchair user.

To that end, I refer the Council to Paragraph 67-69 of the attached appeal decision at Stanford Hill, Lymington (APP/B1740/W/20/3265937). This sets out a view on Optional Technical Standards and in particular a Local Plan policy requirement for 100% of specialist older persons' accommodation to be built to M4(3) dwellings, with the Appeal Inspector concluding: "I am mindful also that the design of the appeal scheme seeks to achieve the M4(2) Optional Building Regulations standard for accessible and adaptable dwellings – albeit that without a condition specifying this, I accept that the Council could not enforce this standard. In any event, the proposed development would cater for a range of occupants, and not only those with impaired mobility. Consequently, I am not persuaded that a requirement for the higher optional standards to be deployed in all of the proposed dwellings would be either reasonable or necessary in this case."

It is clear from this decision that, despite having an adopted policy, the Inspector considered the provision of M4(2) sufficient to cater for a range of occupants and that this technical breach of the policy was not so significant to outweigh the very significant benefits of the scheme.

We are aware that a small number of emerging and adopted Local Plans have introduced policies requiring 100% of specialist older persons' accommodation to be built to M4(3). There may, accordingly, be the mistaken assumption that such policies constitute best practice however for the reasons set out in this representation, we strongly advise the Council that this is not the case. The specialist older persons' housing sector is increasingly challenging such policies at Examination in Public and, in the rare instances they have been adopted, at Appeal.

Finally, we would respectfully remind the Council that the PPG states that "The role for viability assessment is primarily at the plan making stage. Viability assessment should not compromise sustainable development but should be used to ensure that policies are realistic, and that the total cumulative cost of all relevant policies will not undermine deliverability of the plan" (Paragraph: 002 Reference ID: 10-002-20190509).

Considering the above I would respectfully advise that imposing a 100% M4(3) requirement for all specialist older persons' housing would not meet the tests of soundness in the NPPF accordingly.

We therefore recommend that officers engage with us on this very important point. If such a policy was adopted in the plan, no older person's housing schemes will come forward in East Devon over the plan period. We have recently engaged in a Local Plan EiP in Sheffield where officers reduced their 100% requirement to 5% on the basis of the evidence. Notwithstanding the requirements to retest viability and without making the adjustments as required above, the viability evidence does not demonstrate this requirement is viable.

We recommend that the policy is amended as follows: "B. 5% of all new specialist accommodation for older people will meet regulation M4 (3) requirements (a) or (b) (wheelchair user dwellings);"

We would like to engage with officers on this very important issue to ensure a workable policy is brought forward.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put

forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: [see 3(b)]- We therefore recommend that officers engage with us on this very important point. If such a policy was adopted in the plan, no older person's housing schemes will come forward in East Devon over the plan period. We have recently engaged in a Local Plan EiP in Sheffield where officers reduced their 100% requirement to 5% on the basis of the evidence. Notwithstanding the requirements to retest viability and without making the adjustments as required above, the viability evidence does not demonstrate this requirement is viable.

We recommend that the policy is amended as follows: "B. 5% of all new specialist accommodation for older people will meet regulation M4 (3) requirements (a) or (b) (wheelchair user dwellings);"

We would like to engage with officers on this very important issue to ensure a workable policy is brought forward.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Given the seriousness of these issues, we would therefore be grateful if we could be notified of the forthcoming examination stages and opportunities to explain these issues further in front of the appointed Inspector(s).

Full name: Nathan Price

Organisation (where relevant): Tetlow King Planning

Other party name (if relevant): South West Housing Association Planning Consortium

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN04

1(b). Does your comment relate to one of the changes listed above?: No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: It would be beneficial to see the Local Plan recognise the role of Housing Associations and encourage developers to have early active engagement with Housing Associations in the preparation of planning proposals. Early engagement enables Housing Associations to have an active role in the planning and design of developments to ensure that the development addresses local housing needs and meets the management requirements of SWHAPC members. The above comments are intended to be constructive, to ensure the policies are found sound at examination. We would like to be consulted on further stages of the above document and other publications by the Council, by email only to *** Personal details have been removed ***; please ensure that the South West Housing Association Planning Consortium is retained on the consultation database, with Tetlow King Planning listed as its agent.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: It is recommended that the Council adds 'Collaboration with Registered Providers' to the delivery mechanisms for Policy H4 in the monitoring section of the draft Local Plan.

Full name: Nathan Price

Organisation (where relevant): Tetlow King Planning

Other party name (if relevant): South West Housing Association Planning Consortium

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN04

1(b). Does your comment relate to one of the changes listed above?: Yes

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: The SWHAPC welcomes the Council's decision to reduce the requirement for all new dwellings to meet building regulation M4(2) requirements to 50% of new dwellings. With regard to building regulation M4 (3)(2)(a) and (b) requirements, the Council has increased the requirement for affordable homes from 5% to 15%. We previously indicated that the 5% requirement may affect viability and overall affordable housing delivery in East Devon; this point is particularly more pertinent at the 15% position. It appears there is no evidence on Devon Home Choice or the latest housing needs assessment to suggest that a 15% requirement is needed. The Council should also be aware that it costs approximately £12,000 to deliver a property to M43 standard. This means there are significant viability considerations in providing M4(3) homes that could influence the overall quantum of affordable housing delivery in East Devon. Aside from increased costs, the Council should be aware that M4(2)/M4(3) requirements can be challenging to achieve in terms of level access on sites where there are topography issues, so planning policy should acknowledge this as it will not always be possible to achieve this on sites. There may also be viability considerations around the provision of lifts which may also make the provision of level access challenging to achieve, as well as larger parking requirements or covered spaces. These issues which can affect a development's viability should be considered when setting requirements.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: In light of the above, it may be more appropriate for M4(2)/M4(3) delivery to be based on demonstrated need through the Council's housing

register, rather than a blanket requirement, taking into account viability and feasibility considerations.

Full name: Rachel Danemann

Organisation (where relevant): Home Builders Federation

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN04

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy.

HBF do not support the need for any policies in Local Plan that repeat Building Regulations. The Building Regulation regime is separate from the planning process, and considerable changes to Building Reg are underway. This is the appropriate forum for Building Regs to be reviewed.

However, we do note that the requirements to meet Part M4(2) will be superseded by changes to residential Building Regulations. The Government response to 'Raising accessibility standards for new homes' states that the Government proposes to mandate the current M4(2) requirement in Building Regulations as a minimum for all new homes, with M4(1) applying in exceptional circumstances. This will be subject to a further consultation on the technical details and will be implemented in due course through the Building Regulations. There therefore no need for a Local Plan policy on this issue as this issue is already adequately addressed through Building Regulations.

There is also a need to consider the costs of delivering the policy requiring housing to M4(2) and the requirements for accessible and adaptable dwellings policy which references M4(3). Our previous Regulation 19 response requested a clearer distinction was made in the policy between M4(3)a wheelchair adaptable housing and M4(3)b wheelchair accessible housing. Some changes have been made to address this which we welcome.

However, we also highlighted the need for the whole plan viability assessment to be explicit on what costs it has been applying when considering M4(3)a or M4(3)b as the latter can only be sought on affordable housing where the Council has nominations and is considerably more expensive than the former. Evidence from HBF members and supported at several EIPs by housing staff from different Councils suggest M4(3)b is ten times more expensive than M(4)3a.

HN05

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Taylor Wimpey UK Ltd

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN05

1(b). Does your comment relate to one of the changes listed above?: No

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: This policy sets out the requirements for the provision of self-build plots within new residential schemes. The policy states that on sites of 20 or more homes, 5% of those homes are required to be serviced custom or self-build plots while on larger sites (250 homes or more), a portion of plots must be designated for affordable housing with all self-build plots.

The obligation that all self-build plots must be completed within 3 years of purchase being removed from the draft policy wording is welcomed, however, Taylor Wimpey continue to raise concerns over the stipulation that self-build plots must be marketed for a period of 24-months before being able to revert to 'normal' market housing. Taylor Wimpey reiterate that this is not reasonable. A development site may have been fully constructed and occupied within a 24-month period, and therefore the construction workers would have departed the site. It would not be reasonable for the developer to have to subsequently return to the development site to construct a small number of self-build plots that had no demand during the 24-month marketing exercise. As a result, it will be commonplace that development sites are left with unsightly undeveloped plots of land, which often delay the provision of cycle and pedestrian connections or play facilities within the site. The marketing period within this policy must be reduced to no more than 12-months.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Our attendance is necessary to effectively discuss the points raised in these representations.

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): 3West Developments Ltd

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN05

1(b). Does your comment relate to one of the changes listed above?: No

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: No

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.:

2.55 3West supports the overarching principle of Strategic Policy HN05, however, considers that allocating specific sites for self-build and custom-build housing would be more effective than applying blanket requirements to all allocated sites. A more flexible, criteria-led approach would be better suited to facilitating delivery.

2.56 We question whether the requirement for self-build and custom-build housing on all developments of more than 20 dwellings is sufficiently justified. Where there is no demonstrable demand, developers should not be disadvantaged by being required to deliver specialist housing products.

2.57 To ensure the policy is justified and therefore sound, the wording should be amended to clarify that self-build and custom-build housing will only be sought on developments where there is clear evidence of market demand. In the absence of such demand, it should be recognised that these units should revert to conventional market housing to meet local needs.

4. Do you consider that this part of the Meeting Housing Needs chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Our attendance is necessary to effectively discuss the points raised in these representations.

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Vistry Group

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN05

1(b). Does your comment relate to one of the changes listed above?: No

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: Strategic Policy
HN05: Self-Build and Custom Build Housing

2.51 Vistry support the principle of Strategic Policy HN05, however the current policy wording is not considered to be justified, and therefore is unsound for the following reasons:

- No justification has been given to the requirement for all new development above 20 dwellings to provide 5% service custom and self-build plots.
- There is no consideration of the demand for custom and self-build plots and how this will impact development on a case-by-case basis. Where there is no demand, the developer should not be penalised for not delivering specialised housing on new developments.
- No clarification is provided regarding how these plots will be utilised if there is no demand.

2.52 To ensure that the policy is justified and therefore sound, the policy text should be clarified to state that such specialised housing will be sought on new developments where there is an evidenced market demand. If there is no market demand, it should be acknowledged that units should revert to market housing to meet local demand.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put

forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: To ensure that the policy is justified and therefore sound, the policy text should be clarified to state that such specialised housing will be sought on new developments where there is an evidenced market demand. If there is no market demand, it should be acknowledged that units should revert to market housing to meet local demand.

Full name: Danielle Halford

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Persimmon Homes South West Limited

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN05

1(b). Does your comment relate to one of the changes listed above?: Yes

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: Strategic Policy HN05 now confirms that proposals for custom and self-build housing, to be occupied by those persons commissioning or undertaking the construction, will be generally supported within settlement boundaries and as part of any housing permitted in other areas. This policy does not apply to areas that fall within Built-up Area Boundaries defined in the Cranbrook Plan, where Policy CB11 of the Cranbrook Plan will apply.

2.29 PHSW continue to support policy HN05 in principle. However, PHSW consider that the requirement for sites over 250 dwellings to make a proportion of plots available for affordable housing should be removed from the policy text. This is not justified for the following reasons:

- The requirement for affordable housing is likely to introduce delivery constraints for developers and thus lead to viability challenges presenting themselves.

- Effective implementation would necessitate joint working with Housing Associations and third sector organisations, increasing complexity and extending development timescales.
- It should be recognised that Housing Associations and third sector organisations may be unable to acquire self-build and custom build plots, and that there may be no demonstratable local need for such provision.
- This requirement is likely to operate as an unnecessary impediment to the timely delivery of homes. This would set this policy at odds with some of the main objectives of the NPPF, thus making the policy wholly unsound.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Our attendance is necessary to effectively discuss the points raised in these representations.

Full name: Zoe Mason

Organisation (where relevant): Lichfields

Other party name (if relevant): Mr M and Mr R Nanciekivell

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN05

1(b). Does your comment relate to one of the changes listed above?: No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: Draft Policy HN05 states that on sites of 20 or more dwellings, 5% should be made available as serviced plots for self and custom build. Whilst the NPPF sets out that Council's should make provision for self-build and custom build housing (para. 73), the 20-dwelling threshold and 5% requirement is not justified and there is no evidence to explain what this is based on. Whilst the proportion of self-build and custom housing is considered by the Council to be viable within the Viability Appraisal, no justification is provided within the Viability Appraisal or Sustainability Appraisal as to why these thresholds have been set.

5.10 Moreover, the policy applies district-wide (with the exception of the Built-up Area Boundaries defined in the Cranbrook Plan), and does not allow for any flexibility to respond to local circumstances. The Landowner objects to this policy.

Full name: Matt Frost

Organisation (where relevant): LRM Planning

Other party name (if relevant): 3West Developments Ltd

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN05

1(b). Does your comment relate to one of the changes listed above?: No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: POLICY HN05 : SELF-BUILD AND CUSTOM BUILD HOUSING

7.1 Whilst a few minor changes have been made to this draft policy since the first Regulation consultation Plan, 3W consider the draft Policy is not sound.

7.2 Whilst 3W supports the Council's efforts to deliver a diversified range of housing as part of the Plan, there is insufficient justification provided for the requirement of 5% self-build on sites of 20 dwellings or more. Such justification should consider absolute need moving forward, however, it should also take into account consented supply as well as realistic levels of demand for self-build plot purchase within larger "host" development sites.

7.3 At a practical level, there remains a fundamental conflict between the characteristics that typically attract demand from custom / self-build purchasers and trying to accommodate such plots on a wider "host" development site: ? With the need for at least some design continuity between the "host" site and the self/custom build plots, this takes away the freedom within the self-build plots. ? That being the case, the developer would be able to achieve economies of scale and deliver the same product at a lower price than it would cost a self-builder to achieve a building of the same floorspace. ? Unless a self-build site can have its own separate access (which in most cases is unachievable and unviable), the contracting associated with multiple self-build units, on top of any contractors associated to the "host" site is a significant health and safety challenge.

7.3 3W considers that, if there is demonstrable and viable demand for self and custom-build plots, the delivery of these would be more appropriate on sites specifically

allocated for self-build (i.e. not part of larger host developments), or on sites where an element of self/custom build is expressly supported by the landowner.

7.4 Given the extensive nature of the comments, 3W does not propose specific wording changes; rather the Council is urged to consider substantive changes to this draft policy HN05 prior to submission.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Given the extensive nature of the comments, 3W does not propose specific wording changes; rather the Council is urged to consider substantive changes to this draft policy HN05 prior to submission. Given the extensive nature of the comments, 3W does not propose specific wording changes; rather the Council is urged to consider substantive changes to this draft policy HN05 prior to submission.

Full name: Laura Grimason

Organisation (where relevant): Pegasus Group

Other party name (if relevant): Taylor Wimpey Strategic Land

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN05

1(b). Does your comment relate to one of the changes listed above?: No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: HN05: Self-build and custom build housing Objection is raised to the requirement for 'At least 5% of dwellings on sites planned to accommodate 20 or more homes must be delivered as serviced custom and self-build plots.' Including 'at least' introduces uncertainty around what the requirement will actually be in any individual case – it is vague and imprecise. 5% of dwellings on all sites over 20 dwellings appears to provide more than the required number of plots as evidenced in the self-build register data. In addition, the marketing period should be reduced to 12 months. Any longer than this and sites may have completed and the construction contractors left site making it potentially challenging and unviable for these to be brought back to build custom plots if these have not been sold. Some people on the self-build register will not want a plot within a larger housing scheme, as shown from the evidence base. The Council has already delivered self-build opportunities without requiring larger developments to put aside land for this type of use, predominantly on small individual sites. It would be preferable for this policy to encourage this type of provision so that larger sites can concentrate on delivering affordable housing, open space, community facilities, and other infrastructure which smaller schemes cannot provide.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The Council has already delivered self-build opportunities without requiring larger developments to put aside land for this type of use, predominantly on small individual sites. It would be preferable for this policy to encourage this type of provision so that larger sites can concentrate on delivering

affordable housing, open space, community facilities, and other infrastructure which smaller schemes cannot provide.

Full name: Damian Lynch

Organisation (where relevant): Planning Issues

Other party name (if relevant): Churchill Living and McCarthy Stone

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN05

1(b). Does your comment relate to one of the changes listed above?: No

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: Within the context of the above considerations [see attachment for this representor], Policy HN05: Self-build and custom build housing is considered to be unsound given the evidence base underpinning each of these has not justified the requirements.

It is recommended that specialist older persons housing schemes are exempted from the requirement to provide self-build plots.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: It is recommended that specialist older persons housing schemes are exempted from the requirement to provide self-build plots.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Given the seriousness of these issues, we would therefore be grateful if we could be notified of the forthcoming examination stages and opportunities to explain these issues further in front of the appointed Inspector(s).

Full name: Elliot Jones

Organisation (where relevant): Planning Potential

Other party name (if relevant): Bloor Homes

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN05

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: The wording of the policy largely remains the same as the First Stage Regulation Draft. As such, Bloor Homes retains its objection to the policy. Bloor Homes (Exeter) Limited January 2026 www.planningpotential.co.uk Page 5 Copyright © Planning Potential 2026 Policy HN05, which adopts a prescriptive approach to self and custom build housing is not supported by national legislation or policy. The requirement for a minimum 5% provision on sites of 20 or more dwellings, alongside restrictive controls on marketing, pricing, infrastructure timing, plot size and, on larger sites, the inclusion of affordable self/custom build plots and plot passports, imposes a disproportionate burden on development and raises significant viability and deliverability concerns. While the principle of supporting housing choice is acknowledged, there is no robust evidence to justify the thresholds or quantum proposed, nor to demonstrate that identified demand must be met through mandatory on-site provision. National policy makes clear that responsibility for meeting self and custom build demand rests with the local planning authority through the granting of sufficient permissions, rather than through obligating developers to allocate land. As drafted, the policy risks undermining the effectiveness of the plan and should be revised to adopt a more flexible, enabling approach that takes proper account of site-specific constraints and viability considerations.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: National policy makes clear that responsibility for meeting self and custom build demand rests with the local planning authority through the granting of sufficient permissions, rather than through obligating developers to allocate land. As drafted, the policy risks undermining the effectiveness of the plan and should

be revised to adopt a more flexible, enabling approach that takes proper account of site-specific constraints and viability considerations

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury Manor Estate

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN05

1(b). Does your comment relate to one of the changes listed above?: Yes

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: No

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: Whilst a few minor changes have been made to this draft policy since the first Regulation consultation draft, we continue to consider the draft Policy is not sound. Whilst we still support the Council's efforts to deliver a diversified range of housing as part of the plan, there is no justification provided for the requirement of 5% on sites of 20 dwellings or more. Justification should consider absolute need moving forward, but also take into account consented supply as well as realistic levels of demand for self-build plot purchase within larger "host" development sites. At a practical level, there remains a fundamental conflict between the characteristics that typically attract demand from custom / self-build purchasers and trying to accommodate such plots on a wider "host" development site:

- With the need for at least some design continuity between the "host" site and the self/custom build plots, this takes away the freedom within the self-build plots.
- That being the case, the developer would be able to achieve economies of scale and deliver the same product at a lower price than it would cost a self-builder to achieve a building of the same floorspace.
- Unless a self-build site can have its own separate access (which in most cases is unachievable and unviable), the contracting associated with multiple self-build units, on top of any contractors associated to the "host" site is a significant health and safety challenge. Our position is that if there is demonstrable and viable demand for self and

custom built plots, the delivery of these would be more appropriate on sites specifically allocated for self-build (i.e. not part of larger host developments), or on sites where an element of self/custom build is expressly supported by the land owner. Given the extensive nature of the comments, we do not propose specific wording changes and urge the Council to consider substantive changes to this draft Policy prior to submission.

4. Do you consider that this part of the Meeting Housing Needs chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: In order to represent the interests of The Sidbury Manor Estate in relation to their interests in the Land west of Two Bridges Road, Sidford (Sidm_06a), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN05

1(b). Does your comment relate to one of the changes listed above?: Yes

2(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not legally compliant. Please be as precise as possible.: See enclosed representations

2(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: See enclosed representations

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: See enclosed representations
Whilst a few minor changes have been made to this draft policy since the first Regulation consultation draft, we continue to consider the draft Policy is not sound. Whilst we still support the Council's efforts to deliver a diversified range of housing as part of the plan, there is no justification provided for the requirement of 5% on sites of 20 dwellings or more. Justification should consider absolute need moving forward, but also take into account consented supply as well as realistic levels of demand for self-build plot purchase within larger "host" development sites. At a practical level, there remains a fundamental conflict between the characteristics that typically attract demand from custom / self-build purchasers and trying to accommodate such plots on a wider "host" development site:

- With the need for at least some design continuity between the "host" site and the self/custom build plots, this takes away the freedom within the self-build plots.

- That being the case, the developer would be able to achieve economies of scale and deliver the same product at a lower price than it would cost a self-builder to achieve a building of the same floorspace.
- Unless a self-build site can have its own separate access (which in most cases is unachievable and unviable), the contracting associated with multiple self-build units, on top of any contractors associated to the “host” site is a significant health and safety challenge. Our position is that if there is demonstrable and viable demand for self and custom built plots, the delivery of these would be more appropriate on sites specifically allocated for self-build (i.e. not part of larger host developments), or on sites where an element of self/custom build is expressly supported by the land owner.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: See enclosed representations Given the extensive nature of the comments, we do not propose specific wording changes and urge the Council to consider substantive changes to this draft Policy prior to submission.

4. Do you consider that this part of the Meeting Housing Needs chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter fails to comply with the duty to co-operate. Please be as precise as possible.: See enclosed representations

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: In order to represent the interests of Sidbury LVA LLP in relation to their interests in the Land south of Furzehill, Sidbury (SIDM_34), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Developments Ltd

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN05

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not legally compliant. Please be as precise as possible.: Policy HN05: Self-build and custom build housing Whilst a few minor changes have been made to this draft policy since the first Regulation consultation draft, we continue to consider the draft Policy is not sound. Whilst we still support the Council's efforts to deliver a diversified range of housing as part of the plan, there is no justification provided for the requirement of 5% on sites of 20 dwellings or more. Justification should consider January 2026 9 absolute need moving forward, but also take into account consented supply as well as realistic levels of demand for self-build plot purchase within larger "host" development sites. At a practical level, there remains a fundamental conflict between the characteristics that typically attract demand from custom / self-build purchasers and trying to accommodate such plots on a wider "host" development site:

- With the need for at least some design continuity between the "host" site and the self/custom build plots, this takes away the freedom within the self-build plots.
- That being the case, the developer would be able to achieve economies of scale and deliver the same product at a lower price than it would cost a self-builder to achieve a building of the same floorspace.
- Unless a self-build site can have its own separate access (which in most cases is unachievable and unviable), the contracting associated with multiple self-build units, on top of any contractors associated to the "host" site is a significant health and safety challenge. Our position is that if there is demonstrable and viable demand for self and custom built plots, the delivery of these would be more appropriate on sites specifically allocated for self-build (i.e. not part of larger host developments), or on sites where an element of self/custom build is expressly supported by the land owner. Given the

extensive nature of the comments, we do not propose specific wording changes and urge the Council to consider substantive changes to this draft Policy prior to submission.

2(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Our position is that if there is demonstrable and viable demand for self and custom built plots, the delivery of these would be more appropriate on sites specifically allocated for self-build (i.e. not part of larger host developments), or on sites where an element of self/custom build is expressly supported by the land owner. Given the extensive nature of the comments, we do not propose specific wording changes and urge the Council to consider substantive changes to this draft Policy prior to submission.

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: Policy HN05: Self-build and custom build housing Whilst a few minor changes have been made to this draft policy since the first Regulation consultation draft, we continue to consider the draft Policy is not sound. Whilst we still support the Council's efforts to deliver a diversified range of housing as part of the plan, there is no justification provided for the requirement of 5% on sites of 20 dwellings or more. Justification should consider January 2026 9 absolute need moving forward, but also take into account consented supply as well as realistic levels of demand for self-build plot purchase within larger "host" development sites. At a practical level, there remains a fundamental conflict between the characteristics that typically attract demand from custom / self-build purchasers and trying to accommodate such plots on a wider "host" development site:

- With the need for at least some design continuity between the "host" site and the self/custom build plots, this takes away the freedom within the self-build plots.
- That being the case, the developer would be able to achieve economies of scale and deliver the same product at a lower price than it would cost a self-builder to achieve a building of the same floorspace.
- Unless a self-build site can have its own separate access (which in most cases is unachievable and unviable), the contracting associated with multiple self-build units, on top of any contractors associated to the "host" site is a significant health and safety challenge. Our position is that if there is demonstrable and viable demand for self and

custom built plots, the delivery of these would be more appropriate on sites specifically allocated for self-build (i.e. not part of larger host developments), or on sites where an element of self/custom build is expressly supported by the land owner. Given the extensive nature of the comments, we do not propose specific wording changes and urge the Council to consider substantive changes to this draft Policy prior to submission.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

Our position is that if there is demonstrable and viable demand for self and custom built plots, the delivery of these would be more appropriate on sites specifically allocated for self-build (i.e. not part of larger host developments), or on sites where an element of self/custom build is expressly supported by the land owner. Given the extensive nature of the comments, we do not propose specific wording changes and urge the Council to consider substantive changes to this draft Policy prior to submission.

4. Do you consider that this part of the Meeting Housing Needs chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: In order to represent the interests of 3West Group in relation to their interests in the Land north and east of Exton Farm (Wood_28), and other draft policies in the plan.

Full name: Cara Chambers

Organisation (where relevant): Stantec

Other party name (if relevant): KCS Development

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN05

1(b). Does your comment relate to one of the changes listed above?: No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: This policy requires that at least 5% of dwellings on sites of 20 dwellings or more are serviced custom and self-build plots. However, there are inherent challenges with providing self-build plots on smaller sites given resourcing and cost which could undermine deliverability of sites. As is stated in Paragraph 73 of the NPPF, small sites play an important role in contributing to housing supply as they can be built out quickly and so any deliverability issues here could stall housing delivery.

4.4.8 Therefore, self-build and custom build dwellings are better placed on larger sites. Policy HN05 is unsound.

Full name: Nathan Price

Organisation (where relevant): Tetlow King Planning

Other party name (if relevant): South West Housing Association Planning Consortium

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN05

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: The SWHAPC reiterates the below comments from the first Regulation 19 consultation in response to draft Policy HN05. Draft Policy HN05 outlines that Custom and Self-Build homes will be required on development proposals of 20 or more homes, where 5% of homes should be made available as serviced plots for sale to custom or self-builders. The SWHAPC does not currently support this element of the draft policy as the threshold of 20 homes is considered far too low. We suggest that this threshold should be increased to apply to significantly larger major housing developments, perhaps those over 500 dwellings. We encourage the Council to consider evidence in other local authorities, such as Teignbridge, where it has been shown that people interested in self and custom build housing typically do seek to live in large developments and these plots often remain unsold. A policy requirement to deliver a minimum percentage of self-build units on a scheme can create challenges for Affordable Housing Providers with grant allocations. Self-Build plots are of an open market tenure; if an Affordable Housing Provider wishes to deliver a 100% affordable scheme it cannot include any open market units, otherwise it cannot secure grant funding to all plots, including the S106 policy requirement. The SWHAPC therefore strongly recommends once more that draft Policy HN05 includes no Custom and Self Build requirement on 100% affordable housing proposals given that these sites are meeting much of the acute affordable housing need in East Devon. Furthermore, the SWHAPC suggests an inclusion in the policy wording which would see an order of priority for any viability challenges to ensure that custom and self-building housing is removed from schemes first before any loss in affordable housing provision is considered. The SWHAPC welcomes clarification on how the Council will ensure that quality is maintained for the Self-Build plots.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of

the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The SWHAPC advises that the Council refers to the Self-Build and Custom Housebuilding Planning Practice Guidance when formulating new policy.

Full name: Harvey Wingfield

Organisation (where relevant): tor&co

Other party name (if relevant): D White Farms Limited

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN05

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.: N/A

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: N/A

2(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not legally compliant. Please be as precise as possible.: N/A

2(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: N/A

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(a). If yes, and you wish to support the soundness of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: N/A

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: Policy HN05 is not sound as currently drafted because it is overly prescriptive and risks undermining the delivery of housing allocations. In particular, the mandatory requirement that “at least 5% of dwellings on all sites of 20 dwellings or more must be delivered as serviced custom and selfbuild plots” introduces a rigid percentage requirement. Applying a blanket requirement across all qualifying sites risks constraining site viability and

delaying housing delivery, contrary to the NPPF's objective of significantly boosting the supply of homes. As drafted, the policy is therefore not effective and therefore fails the tests of soundness set out in paragraph 36 of the NPPF.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Current wording: "at least 5% of dwellings on all sites of 20 dwellings or more must be delivered as serviced custom and self-build plots". Proposed wording: "at least 5% of dwellings on all sites of 20 dwellings or more must be delivered as serviced custom and self-build plots, unless it can be demonstrated that there is insufficient market demand for such plots or that their provision would prejudice the viability or deliverability of the development". The self-build and custom build market is inherently demand-led and may fluctuate significantly over the plan period. A rigid blanket requirement applied to all qualifying sites throughout the plan period risks constraining housing delivery where there is insufficient demand for such plots or where provision would undermine scheme viability. The Council's Self-Build Topic Paper identifies a local need for serviced custom and self-build plots but also highlights variability in demand across the District over time. The proposed caveat ensures the policy can be applied in a proportionate, flexible and deliverable manner, avoiding the risk of stalled or delayed housing delivery and ensuring that the policy remains justified and effective. This modification ensures that Policy HN05 is sound in accordance with the tests set out in paragraph 36 of the NPPF.

4. Do you consider that this part of the Meeting Housing Needs chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Meeting Housing Needs chapter's compliance with the duty to co-operate, please use this box to set out your comments.: N/A

4(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter fails to comply with the duty to co-operate. Please be as precise as possible.: N/A

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To explain why a flexible approach to the provision of

self-build and custom build plots is necessary to ensure that housing allocations can be delivered efficiently and in accordance with national policy objectives.

Full name: Lisa Turner

Organisation (where relevant): Blackdown Hills National Landscape

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN05

1(b). Does your comment relate to one of the changes listed above?: Yes

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
Yes

3(a). If yes, and you wish to support the soundness of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: Yes, we support the amendments to this policy, clarifying that it relates only to settlements and as part of any housing permitted in other areas, which is helpful in terms of meeting other planning requirements and avoiding development in unsustainable locations.

Full name: Rachel Danemann

Organisation (where relevant): Home Builders Federation

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN05

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy.

HBF does not consider that requiring major developments to provide for self-builders is appropriate. Instead, the HBF advocates for self and custom-build policies that encourage self and custom-build development by setting out where it will be supported in principle. HBF considers that Councils can play a key role in facilitating the provision of land as set in the PPG. This could be done, for example, by using the Councils' own land for such purposes and/or allocating sites specifically for self and custom-build home builders- although this would need to be done through discussion and negotiation with landowners.

It is considered unlikely that the provision of self and custom build plots on new housing developments can be coordinated with the development of the wider site. At any one time, there are often multiple contractors and large machinery operating on-site from both a practical and health and safety perspective, it is difficult to envisage the development of single plots by individuals operating alongside this construction activity.

However, if a self-build policy is to be pursued, HBF highlight that if demand for plots is not realised, it is important that plots should not be left empty to the detriment of neighbouring properties or the whole development. The Plan should set out the timescale for reversion of these plots to the original housebuilder, which should be as

short as possible from the commencement of development because the consequential delay in developing those plots presents further practical difficulties in terms of co-ordinating their development with construction activity on the wider site. There are even greater logistical problems created if the original housebuilder has completed the development and is forced to return to site to build out plots which have not been sold to self and custom builders. HBF would therefore suggest that any unsold plots should revert to the original developer after a maximum six-month marketing period.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: See 3(b)

HN06

Full name: Sebastian Cope

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.: Devon

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: I don't know whether it is legally compliant however it seems to be too specific for smaller properties.

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: There are a lot of old small farms in East Devon that have small dwellings or bungalows. Restricting replacement or extensions only 30% larger will inhibit investment into properties and encourage more dilapidation of these properties. If a small farm has a bungalow with a GIA of 85 sq m and they would like to add a storey to the property, this would not be permissible.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: D. The floorspace of any replacement dwelling, or subdivided or converted building (including garages, outbuildings and any habitable space) may exceed that of the existing building where the increase can be clearly justified and where the resulting scale, height and massing remain appropriate to the site and its surroundings.

4. Do you consider that this part of the Meeting Housing Needs chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter fails to comply with the duty to co-operate. Please be as precise as possible.: As above

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Margaret Leppard

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN06

1(b). Does your comment relate to one of the changes listed above?: Yes

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
Yes

3(a). If yes, and you wish to support the soundness of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: Appreciate support for sub-dividing properties. Mutual benefit can be achieved, social capital increased

HN07

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN07

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
Yes

3(a). If yes, and you wish to support the soundness of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: We welcome the addition of policy text to ensure that proposals respond appropriately to the character of the building and area. This addresses the matter raised in our Regulation 19 consultation response.

HN09

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN09

1(b). Does your comment relate to one of the changes listed above?: Yes

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
Yes

3(a). If yes, and you wish to support the soundness of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: It is noted that the plan is supported by a needs assessment setting out a requirement for 32 pitches between 2023 and 2045, of which 29 pitches are required during the local plan period. Devon County Council accepts the reasoning for this reduction in local plan need to reflect a shorter time period for delivery. DCC welcomes proposals within the local plan for the allocation and delivery of a total of 30 permanent pitches within the plan period (within Marlcombe and the Cranbrook expansion areas). DCC considers the proposals set out in the plan regarding gypsy and traveller provision to be sufficient based on the assessment as published, with provision in appropriate locations near to local services and transport options. The delivery of the 30 pitches at Cranbrook and Marlcombe is considered to be achievable in principle, and therefore, the county council has no objection regarding gypsy and traveller provision. Should a review of the needs assessment be required, the county council would expect provision to be made in the plan for the full assessed need.

Full name: Hilary Johnson

Organisation (where relevant): Dorset Council

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN09

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
Yes

3(a). If yes, and you wish to support the soundness of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: In relation to Gypsy and Traveller provision, Strategic Matter H03 describes a joint approach to pitch provision with Exeter, Mid Devon and Teignbridge. Paragraph 6.5 seeks agreement that there are no cross-boundary issues in respect of Gypsy and Traveller and Travelling Showpeople provision, a position with which Dorset Council agrees

Full name: Planning Policy Team

Organisation (where relevant): Somerset Council

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN09

1(b). Does your comment relate to one of the changes listed above?: No

4. Do you consider that this part of the Meeting Housing Needs chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Meeting Housing Needs chapter's compliance with the duty to co-operate, please use this box to set out your comments.: Gypsies, Travellers and Travelling Showpeople

7. It is noted that East Devon DC can accommodate the housing needs of Gypsies, Travellers and Travelling Showpeople within their own district boundary. As an adjoining LPA East Devon will be aware that Somerset Council have commissioned their own Gypsy and Traveller Accommodation Needs Assessment which is now expected to be finalised in early 2026. This will remain an area for continued engagement.

HN11

Full name: Megan Masters

Organisation (where relevant): Acorus Rural Property Services

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN11

1(b). Does your comment relate to one of the changes listed above?: No

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: No

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: The new policy 'justification' states that the size limitation sets a maximum dwelling size of 150sqm, informed by planning precedent in East Devon. No evidence has been provided to support this. Acorus are aware and have assisted with a number of applications over the years whereby 150sqm has been exceeded as a result of the needs on the holding that have been fully justified and supported by the LPA. The suggested 150sqm is considerably limited for rural workers, in particular, those housing families, offering multi-generational living, housing placement students/apprentices etc. as well as providing necessary farm utility and office room to support the holding and represents a huge reduction to the GIAs currently accepted under the existing local plan. There does not appear to be justification for such reduction nor reasoning for the 150sqm suggested. There are also implications in terms of meeting the NPPF with good design, which shall be difficult to apply with these restrictions in place. It is expected that this Policy shall lead to a regretful impact on landscape character whereby principles of good design cannot be applied as they currently can with the existing local plan policy.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please

be as precise as possible.: C. The size and scale of rural workers dwellings will be commensurate with the needs generated by the holding and its activities and designed to reflect the location and setting of the proposed site;

4. Do you consider that this part of the Meeting Housing Needs chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The LPA will be aware of multiple dwellings that have been approved both recently and historically whereby the proposed 150sqm restriction has been hugely exceeded. The LPA were able to permit these dwellings on the basis of them being fully justified on the operations of the holding. Where these dwellings were approved, they were of a high quality design commensurate with landscape character and represented good design.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)