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20 December 2022

Anne Marie Morris, MP

Via email only to annemarie@annemariemorris.co.uk

Dear Anne Marie,

Proposed changes to the planning system

Thank you for your time on 8 December 2022 to discuss the recent statement by the Secretary of State for Levelling Up, Housing and Communities, the Rt Hon Michael Gove, relating to proposed changes to the planning system.

As I made you aware at the meeting, we were due to take our Local Plan to Council on 15 December to get approval to consult on the final stage of the document before submitting it to the Planning Inspectorate for examination.

However, the content of the statement by the Secretary of State raised a significant number of questions and concerns regarding the implications for plan making and caused us to pause to give officers and Members time to consider what this meant for our Local Plan.

We met with the Members of the Local Plan Working Group on Thursday 15 December to discuss the letter and its implications. I set out below questions arising from the group that we would welcome your help in getting clarity on in time for the Council meeting on 12 January 2023 when the Local Plan will be considered by our Members.

Teignbridge Housing numbers

The press coverage of the announcement has stated that 'mandatory housebuilding targets have been scrapped' and that 'centrally-dictated targets are "advisory"', meaning that 'town halls will be allowed to build fewer homes than Whitehall believes are needed if they can show that hitting the targets would significantly change the character of an area'.

However, the letter also clearly states that plan making 'has to start with a number'.

The Council has undertaken an objective assessment of need in the wider housing market area, and the plan addresses the need identified for Teignbridge.

Is there going to be a different way of assessing need that will require us to revisit our approach, or can we be given certainty now that our approach to date has been appropriate?

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Overall housing numbers, accommodating neighbouring growth, five-year supply and Housing Delivery Test

The letter proposes that a number of existing measures, designed to secure delivery of the Government's overall national housebuilding commitment, are to be removed.

It has been reported that the current annual target of 180,000 has been missed by 20,000. While it is not expressed as a target now, the manifesto pledge of 300,000 new homes a year still remains the 'ambition'.

Without performance measures such as the five-year supply and Housing Delivery Test how do Government realistically propose to remove or dilute the requirement for unmet need to be delivered in neighbouring areas, allow more flexibility over housing targets AND achieve the nationwide target of 300,000 homes a year? What are the likely 'exceptional circumstances' under which a new method of assessing housing needs could be brought forward?

It would be helpful to understand what Government's intention is with the Housing Delivery Test. There is currently no reference to the Housing Delivery Test in the Written Ministerial Statement. Does this mean that we can assume it will continue to remain as a tool to measure performance?

Evidence base requirements

The statement 'I will ensure that plans no longer have to be "justified" meaning that there will be a lower bar for assessment' implies a significant change in approach to the evidence base required for a Local Plan. More detail on this would be helpful, including whether this applies to just housing numbers or wider policies in "plans".

Character of an area

The letter refers to the impact of development 'significantly' changing the character of an area.

By its very nature development changes the character of an area. The lack of clarity on what this means in practice, or what constitutes 'significant', casts uncertainty over all site allocations.

Are there likely to be additional 'genuine' constraints highlighted alongside national parks, flood risk and heritage constraints?

In Teignbridge, a third of the district is covered by the Dartmoor National Park, reducing the amount of land that can be considered for development. Within the remaining two thirds there are several other challenges, such as internationally important ball clay that is safeguarded by County wide policies, flood zones, European Wildlife Sites and local

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landscape designations such as the Undeveloped Coast. We would appreciate clarification on what 'tips the balance' between protecting character and meeting housing needs.

Community engagement

The letter promises 'a greater say' for local communities in where new development should go. The Council has undertaken extensive engagement to develop and refine the Local Plan over the last four years. We have also worked closely with our Councillors, locally elected to represent their communities, through a Local Plan Working Group.

How else does Government envisage communities working with Councils to determine how many homes should be built? How can the system be designed to ensure that this exercise will be objective?

Transitional arrangements

The letter refers to safeguards for authorities with an up-to-date Local Plan or where their preparation of the Local Plan is at an 'advanced stage' of plan making. However, there is no clarity on what constitutes an 'advanced stage'.

The view of officers, based on the weight usually given to draft Local Plans at appeal, is that we need to have reached Regulation 19 stage, which is the 'Proposed Submission' Local Plan for consultation followed by submission to the Planning Inspectorate for examination.

It would be helpful to have greater clarity on this point.

Affordable housing targets and viability

The letter refers to communities being able to 'increase the proportion of affordable housing if they wish'. More genuinely affordable housing is one the Council's core priorities, and this statement is very welcome.

However, one of the most significant barriers to affordable housing, aside from the fact that the Government definition does not result in genuinely affordable housing that reflects local wages, is the issue of viability.

Are there going to be new mechanisms in place to support the delivery of affordable housing? Is viability no longer going to be a consideration?

I note that many of these matters will be picked up in the consultation on the National Planning Policy Framework changes. However, our Members would welcome greater certainty now to support their consideration of approving the Proposed Submission Local Plan to go out for consultation and subsequent submission to the Planning Inspectorate for examination.

I welcome any support you are able to give us in getting answers to these questions for

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our Members to consider on the 12 January 2023.



Yours sincerely,

Neil Blaney
Head of Place and Commercial Services

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