

Section A

5 Year Review of the Teignbridge Local Plan

May 2019

1. What is the Teignbridge Local Plan 5 Year Review?

1.1 Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires Local Planning Authorities to review the need to update the policies of their Local Plans every 5 years. National Planning Practice Guidance states that the review should take into account:

- conformity of the plan with national planning policy;
- changes to local circumstances (particularly a significant change in Housing Need);
- our Housing Delivery Test performance;
- whether we can demonstrate a 5 year supply of deliverable sites for housing;
- our appeals performance;
- success of policies against indicators in the Development Plan as set out in the Authority Monitoring Report;
- plan-making activity by other authorities, such as whether they have identified that they are unable to meet all their housing need; and
- significant economic changes that may impact on viability.

1.2 The Teignbridge Local Plan 2013-2033 was adopted on 6th May 2014. On 6th May 2019 it became 5 years old and therefore triggered the need to review its effectiveness.

1.3 National Planning Practice Guidance makes clear that a plan does not automatically become out of date once it reaches 5 years old. The requirement to review is there to ensure that the policies of the plan remain effective and are consistent with higher level policy contained in the National Planning Policy Framework.

2. Relevant changes since Local Plan adoption

Conformity of the plan with national planning policy

2.1 Over the past few years, there have been various changes to national policy via the revisions to the National Planning Policy Framework (NPPF) and the Neighbourhood Planning Act 2017 Regulations 2018. A review of these changes has demonstrated that in general the policies of the Teignbridge Local Plan 2013-2033 comply with national policy and legislative changes. The main areas where further consideration need to be given are addressed in the following bullet points.

- The minimum number of homes needed should be determined using the standard method in national planning guidance (in all cases other than exceptional circumstances). This calculation applies where the Local Plan

is more than 5 years old. This factor is considered in more detail within the next section. It is the main area which leads to the conclusion that a local plan update is needed.

- A new Housing Delivery Test (HDT) has been introduced to monitor progress in housing delivery. The calculation is expressed as a % by comparing housing completions over the last three years with the relevant figure(s) for housing need over the same period. Where delivery falls below 95% of need an action plan to improve housing delivery should be prepared. Where it falls below 85% a buffer of 20% needs to be added to the 5 year land supply calculations. The presumption in favour of sustainable development would apply to housing applications where it falls below 75%.
- The NPPF amends the policy on affordable housing to codify a national policy that affordable housing should not be sought for residential developments that are not major developments (i.e. 10 dwellings or more). In designated rural areas, policies may set a lower threshold of 5 units or fewer. Most of the district is classified as rural, and here the local plan applies an NPPF compliant threshold. However, within the non-rural areas, the local plan threshold is now below the one set out in the NPPF. This variation is, however, already being addressed through the decision making process, where affordable housing contributions requested on applications within the named settlements take account of this national policy but also to local housing affordability circumstances. A local plan update would be able to address this matter in the round.
- The local plan contains a policy S1A which describes the “presumption in favour of sustainable development” as it was at the time of the plan adoption. This approach is now out of kilter with the new NPPF version and is therefore no longer up to date. It is likely that the policy would be removed from the plan as part of an update.

Changes to local circumstances (such as a change in Local Housing Need);

- 2.2 Since the adoption of the Local Plan in 2014, the key change in local circumstance has been a change in housing need, taking account of the new approach to its calculation. This is outlined in more detail below. Other main issues which were the background to the preparation of the local plan are set out in paragraph 1.7 of the Local Plan. It is considered that these remain the key issues, and continue generally to be addressed effectively through the plan’s policies.
- 2.3 Policy S4 makes provision for a total of 12,400 homes over the 20 year period of the plan. This is based on an annual average housing need of 620 homes. This was calculated by consultants acting for the council following the national policy and guidance prevailing at the time. The Local Plan Inspector confirmed that the figure was appropriate, based on that national policy and guidance.

2.4 However, national policy has changed and the 2018 version of the NPPF introduced a new method for calculating housing need. Instead of a general guide, there is now a specific formula using nationally published data which local plans are expected to follow. This approach, known as the standard method, currently results in an annual housing need calculation of 760 homes per year, an increase of 23% above the local plan target of 620. Paragraph 31 of the NPPF states that “*relevant strategic policies will need updating at least every 5 years if their applicable local housing need figure has changed significantly*”.

2.5 The National Planning Practice Guidance (NPPG) provides further detail on whether strategic policies need reviewing on the basis of changes in housing need. It states:

“Local housing need will be considered to have changed significantly where a plan has been adopted prior to the standard method being implemented, on the basis of a number that is significantly below the number generated using the standard method, or has been subject to a cap where the plan has been adopted using the standard method. This is to ensure that all housing need is planned for as quickly as reasonably possible”. Paragraph: 062 Reference ID: 61-062-20190315

2.6 It is therefore clear that the local plan will need updating to reflect this new situation. There has been a significant change in the level of housing need since the adoption of the Local Plan. The strategic policies which deal with housing need (Policies S4, S21A and S22) will require updating as part of the wider review forming part of the Greater Exeter Strategic Plan, which will lead to the need to review and update the suite of housing allocations within the plans.

2.7 This conclusion has an immediate impact on the consideration of housing planning applications, as it impacts on the calculation of the five year supply. Footnote 37 to paragraph 73 of the NPPF is key. Essentially, the five year supply and housing delivery test calculations will be undertaken on the basis of the housing need standard method (currently 760 homes per year) rather than the local plan target. This is explained further in the relevant section below.

Housing Delivery Test performance;

2.8 The introduction of the Housing Delivery Test (HDT) requires us to measure our past housing completions against the targets which applied. The implications for falling below 75% of need are significant. Teignbridge’s performance has been above 100% in the latest published figures, indicating no issue against the HDT.

Whether we can demonstrate a 5 year supply of deliverable sites for housing;

2.9 The National Planning Policy Framework (NPPF), requires that Local Planning Authorities “*identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirement.*” The housing requirement contained in the adopted Local Plan

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2013-2033 is based on the objectively assessed need (OAN) prepared in a Strategic Housing Market Assessment (SHMA) which was agreed by the Local Plan Inspector. This figure was set at 620 homes per year.

2.10 The 2019 '5 Year Housing Land Supply Statement' included in Section B, Appendix 1 shows that we would be able to demonstrate a healthy land supply equating to 8.7 years' worth of deliverable sites against the local plan target of 620.

2.11 However, paragraph 73 and footnote 37 of the NPPF states that in circumstances like those which apply in Teignbridge, future five year supply calculations will need to use the standard methodology;

"Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies³⁶, or against their local housing need where the strategic policies are more than five years old³⁷.

³⁶ For the avoidance of doubt, a five year supply of deliverable sites for travellers – as defined in Annex 1 to Planning Policy for Traveller Sites – should be assessed separately, in line with the policy in that document.

³⁷ Unless these strategic policies have been reviewed and found not to require updating. Where local housing need is used as the basis for assessing whether a five year supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning guidance."

2.12 Section B of Appendix 1 includes this calculation, which shows that we have a 6.82 years supply under these circumstances. For the moment, therefore, there is no implication arising for decisions on planning applications for new housing, where the plan-led system will continue to be applied.

Our appeals performance;

2.13 Over the last 5 years since the adoption of the Local Plan, 32.5% of appeals have been allowed on average each year. This is only marginally higher than the Council's target of 30%, and about the same as the national average, and therefore not cause for concern.

Success of policies against indicators in the Development Plan as set out in their Authority Monitoring Report;

2.14 The Council's latest Authority Monitoring Report was published in December 2018. The report assesses performance against Local Plan policies and shows that in all but two areas, policy targets are being met or exceeded. These two areas are:

- Land for Business, General Industry and Storage: policy target is not being met but progress is being made. Many of the Local Plan's allocated employment sites are linked to allocated housing developments which have taken time to get permission and several also rely on enabling infrastructure (such as access and services) to make their delivery viable.

We have a significant amount of employment land now approved and expect sites to start being built out in the near future.

- Retail and town centre uses: policy targets are not being met. The amount of new retail floorspace permitted in Newton Abbot town centre suggests we are currently not on track to deliver the 11,000sqm target by 2021 as set out in the Local Plan. However, the Council is an active landowner within the town centre and is in the process of preparing masterplans for part of the town's redevelopment which will help to secure a significant proportion of this requirement. In addition, the local plan notes that the need calculations should be updated within 3 years of the plan's adoption, which has not yet been undertaken. In the light of these issues, there will be a need to update the retail policies taking account of new information and evidence.

Plan-making activity by other authorities, such as whether they have identified that they are unable to meet all their housing need;

- 2.15 The council has agreed to prepare a joint statutory plan with East Devon, Exeter and Mid Devon, known as the Greater Exeter Strategic Plan. This plan, which is due to be adopted in about 2022, is the vehicle for duty to cooperate discussions over development strategy across the wider area.

Significant economic changes that may impact on viability.

- 2.16 There have been no significant economic changes that may impact on the overall viability of the plan.

3. Do we need to update the adopted Teignbridge Local Plan 2013-2033?

- 3.1 The above section has demonstrated that in general the Teignbridge Local Plan 2013-2033 remains an effective plan which is meeting many of the needs of the district, despite the various national policy changes introduced since the plan was adopted. We continue to be able to demonstrate a 5 year housing land supply, even with an uplift in housing need, and are maintaining, and expect to continue maintaining, our housing delivery target. The Local Plan was prepared in the context of the 2012 National Planning Policy Framework, the main emphasis of which has not been changed by the 2018 and 2019 revisions.
- 3.2 However, the significant change in housing need as a result of the new national policy means that this aspect of the plan can now be considered in need of updating. The council has agreed to consider this matter jointly with our neighbouring Greater Exeter councils through the preparation of a joint statutory plan known as the Greater Exeter Strategic Plan (GESP). This will take account of new information on housing need across the wider area, and include decisions on overall strategic distribution. It is currently expected that this work will be completed in around 2022.

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- 3.3 Together, these plans will update and amend the adopted Local Plan and roll it forward to cover the period to 2040. The positive position in relation to our five year supply and Housing Delivery Test gives Teignbridge a window of opportunity to carry out these updates in a coordinated manner while not moving away from the plan-led system.

Section B

5 Year Housing Land Supply Statement as at April 2019

1. Local Housing Need

- 1.1 The National Planning Policy Framework (NPPF), requires that Local Planning Authorities “identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirement.” This Land Supply Statement sets out the position on the five year supply at April 2019 using the standard method which is 760 per year.
- 1.2 For information purposes only, it also provides an assessment of our 5 year land supply against the figure of 620, which was our previous target.

2. 5 Year Housing Land Supply

- 2.1 The following shows the number of homes required for the next five years:

Table 1a: 760 target

Completions Required: 2019 to 2024	$760 \times 5 = \mathbf{3,800}$
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Table 1b: 620 previous target

Completions Required: 2013 to 2033	$620 \times 20 = \mathbf{12,400}$
Completions Achieved: 2013 to 2019	4,060
Remainder required 2019 to 2033	8,340
Annual completions required 2019 to 2033	596
Completions Required 2019 to 2024	2,980

- 2.2 To the completions required we must add a “buffer” in accordance with NPPF advice, this requires that local planning authorities identify an additional buffer of either 5% to ensure choice and competition in the market for land, or 20% for authorities who persistently under deliver (as measured by the Housing Delivery Test). Housing delivery has been above the local plan target in each year since 2013, exceeding the relevant requirement within the Housing Delivery Test, and therefore the 5% buffer applies. Therefore the actual required housing land supply is:

Table 2a: 760 target

Five year housing land supply requirement + 5%	$(3,800) \times 105\% = 3,990$ dwellings
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Table 2b: 620 previous target

Five year housing land supply requirement + 5%	$(2,980) \times 105\% = 3,128$ dwellings
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3. Deliverable Land Supply & Forecast Net Additions

- 3.1 The updated (February 2019) NPPF states to be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within 5 years. In particular:
- 3.2 Sites which do not involve major development and have planning permission, and all sites with detailed planning permission should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within 5 years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plan).
- 3.3 Where a site has outline planning permission for major development has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within 5 years.
- 3.4 In calculating the deliverable supply of land we have an agreed joint methodology (with East Devon Council, Exeter City Council, Mid Devon Council, Dartmoor National Park and Devon County Council) that addresses the expected annual rate of development from a permitted site. The basic assumption is that each sales outlet will complete 50 dwellings per annum on average in normal market conditions. However, on some sites this is adjusted based on agent/developer, other relevant advice, or evidence of recent local delivery. It is assumed that on large sites of more than 500 dwellings there will be at least two sales outlets. On sites of more than 1,000 it is assumed that there may be 3 or more outlets.

4. Allocations

- 4.1 To date 5,370 dwellings (total numbers not just within the next 5 years) within allocated sites have now secured planning permission (including pending Section 106) and further planning applications have been submitted for several allocated areas. Interests in other allocation areas have been acquired by developers and are currently in pre-application negotiation. Table 5 summarises the position over the next 5 years within the allocations;

4.2 Based on the delivery trajectory for allocations, as updated to reflect developer discussions, allocated areas will contribute 4,199 dwellings to the land supply in the period April 2019 to March 2024 (see allocations totals table – Table 5).

5. Windfalls

5.1 The NPPF makes provision for the inclusion of windfalls in the calculation and we have evidence of an ongoing supply of windfalls, largely through change of use, conversion and subdivision of existing buildings. Windfall conversion and change of use developments tend to be completed fairly rapidly with shorter site servicing times and fewer reserved matters to be considered following permission.

5.2 The average number of windfalls in Teignbridge over the past 10 years is 145 dwellings. Over the past 5 years, 144 windfall dwellings have been completed on average per annum. The latter figure has been applied as the more cautious windfall allowance that is backed by compelling evidence of ongoing windfall delivery. Figure 1 further explains the approach to providing a final projected windfall allowance for each year covered in this statement.

5.3 Having taken into account projected windfall completions that already have planning permission or are otherwise counted in the supply, a windfall allowance of 144 dwellings over the 5 years to 2023/24 has been applied, as shown at Table 3.

Figure 1: calculating the windfall allowance

<p>Identify total net windfall completions per annum in each of the previous 5-10 years</p>	<p>Subtract completions on garden sites and sites of more than 20 (gross) dwellings to give eligible net annual windfall completions</p>	<p>Take an average (mean) across the 5-10 year period to give the basic net annual windfall projection</p>	<p>Subtract projected windfall completions which already have permission or are otherwise counted in the supply (e.g. resolution to grant permission) from the basic net annual windfall projection to give the final projected windfall allowance for each year of the housing trajectory</p>
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6. Five Year Land Supply Summary and Calculation

6.1 The following tables confirms the Five Year Land Supply

Table 3: Five Year Forward Look

Year	19/20	20/21	21/22	22/23	23/24	Totals
Past Completions 13-19	4060					
Allocations with planning permission	221	439	609	680	544	2,493
Allocations without planning permission	94	235	273	544	560	1,706
Other planning permission	127	127	27	0	0	291
Windfalls	537	17	107	144	144	949
Total Land Supply	979	818	1,026	1,368	1,248	5,439

Table 4a: Land Supply Calculation – 760 target

Teignbridge Local Plan 2013 to 2033		
A	NEW Total Plan Period Requirement (760 X 5)	3,800
B	plus 5%	3,990
C	Five year supply of deliverable sites Apr 19 to Apr 24	5,439
D	Five Year Housing Land Supply ((B/C)*5 years)	6.82

Table 4b: Land Supply Calculation – 620 previous target

Teignbridge Local Plan 2013 to 2033 – 620 target		
A	Total Plan Period Requirement (620 x 5)	12,400
B	Average Annual Requirement until 6 May 2019	620
C	Required Completions to date (620 x 5)	3,100
D	Achieved Completions previous years	4,060

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E	Residual requirement (14 years) (A - D)	8,340
F	Residual requirement per annum (E ÷ 14 years remaining)	596
G	Five Year requirement	2,979
H	plus 5%	3,128
I	Five year supply of deliverable sites Apr 19 to Apr 24	5,439
J	Five Year Housing Land Supply ((I/H)*5 years)	8.7

Based on these build out rates, as shown in the Five Year Land Supply Trajectory, the forward five year housing land supply at April 2019 is 5,439 dwellings (as shown in table 3), which equates to **6.82** years (760 target) and 8.7 years (620 previous target) worth of deliverable sites.

7. Land Supply Trajectory

Table 5: Allocations Totals

Allocations (approved and allocated)	19/20	20/21	21/22	22/23	23/24	Total	remaining
NA1 Houghton Barton							789
approved	90	52	61	20	0	223	
allocated no permission	0	0	120	120	120	360	
NA2 Whitehill							174
approved	0	25	50	50	50	175	
without permission	0	0	0	0	0	0	
NA3 Wolborough							1280
approved	15	5	0	0	0	20	
allocated no permission	0	0	25	190	230	445	
NA3A Beverley Way							15
approved	0	0	0	0	0	0	
allocated no permission	0	0	5	0	0	5	
NA6 Bradley Barton							0
approved	0	0	0	0	0	0	
allocated no permission	50	54	0	0	0	104	
NA9 Town Centre							70
approved	0	0	0	0	0	0	
allocated no permission	0	0	0	50	25	75	
NA10 Bradley Lane							0
approved	0	0	0	0	0	0	
allocated no permission	40	115	0	0	0	155	

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BT1 Dean Park							53
approved	0	0	0	0	0	0	
allocated no permission	0	0	25	42	0	67	
BT2 Bradley Bends							0
approved	0	20	0	0	0	20	
allocated no permission	0	0	0	0	0	0	
BT2A North of Indio House							0
approved	14	14	0	0	0	28	
allocated no permission	0	0	0	0	0	0	
BT3 Challabrook							145
approved	0	0	25	50	50	125	
allocated no permission	0	0	0	0	0	0	
KK1 Torquay Road & Embury Road							0
approved	0	0	90	95	0	185	
allocated no permission	0	0	0	0	0	0	
KK2 Mount Pleasant Road							0
approved	0	0	25	9	0	34	
allocated no permission	0	0	0	0	0	0	
KK3 rear of Barn Owl							0
approved	0	35	0	0	0	35	
allocated no permission	0	0	0	0	0	0	
KS3 Abbrook							120
approved	0	0	0	0	0	0	
allocated no permission	0	0	0	0	0	0	
KS6 Penns Mount							0
approved	50	48	25	50	15	188	
allocated no permission	0	0	0	0	0	0	
KS8 Rydon Depot							15
approved	0	0	0	0	0	0	
allocated no permission	0	0	0	0	0	0	
TE3 west Higher Exeter Road							130
with permission	0	0	25	50	50	125	
without permission	0	0	0	0	0	0	
TE4 Brunswick Street							0
with permission	0	0	0	0	0	0	
without permission	0	0	0	15	25	40	
DA2 north west Secmaton Lane							458

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approved	23	91	60	90	115	379	
allocated no permission	0	0	25	50	50	125	
DA4 west Southdowns Road							0
approved	0	0	0	0	0	0	
allocated no permission	0	0	0	0	0	0	
DA5 Little Leigh, Holcombe							0
with permission	14	21	0	0	0	35	
without permission	0	0	0	0	0	0	
CH1 Rocklands							105
approved	0	0	25	50	50	125	
allocated no permission	0	0	0	0	0	0	
CH2 north east Chudleigh							73
approved	0	0	0	0	0	0	
allocated no permission	0	0	0	24	53	77	
CH3 James House							0
with permission	0	0	19	0	0	19	
without permission	0	0	0	0	0	0	
CH4 Colway Lane							0
approved	0	0	0	0	0	0	
allocated no permission	0	0	15	0	4	19	
CH5 Grovelands							0
approved	0	0	0	0	0	0	
allocated no permission	4	40	6	0	0	50	
CH6 north west Town Centre							10
approved	0	0	0	0	0	0	
allocated no permission	0	0	0	0	0	0	
SWE1 south west Exeter							1080
approved	15	128	204	216	214	777	
allocated no permission	0	26	52	53	53	184	
TOTALS WITH PERMISSION	221	439	609	680	544	2493	4517
TOTALS WITHOUT PERMISSION	94	235	273	544	560	1706	
GRAND TOTAL						4199	

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Table 6: Non allocations totals

<u>Permissions</u>	19/20	20/21	21/22	22/23	23/24	total
22-26 Wolborough Street, Newton Abbot	0	38	0	0	0	38
Bishop Dunstan, Newton Abbot	25	2	0	0	0	27
Newcross, Kingsteignton	50	43	0	0	0	93
Clay Lane, Teignmouth	0	0	20	0	0	20
east Secmaton Lane, Dawlish	52	11	0	0	0	63
Shell Cove House, 19 Old Teignmouth Road, Dawlish	0	11	17	0	0	28
Peppermint Park, Dawlish Warren	0	21	0	0	0	21
Sentry's Farm, Exminster	0	1	0	0	0	1
TOTAL	127	127	37	0	0	291
Small sites (590 dwellings)	537	0	53	0	0	590
Other windfalls	0	17	54	144	144	359
TOTAL	664	144	144	144	144	1,240