

East Devon District Council – Planning Application 23/0571/MFUL – submission by Vision Group for Sidmouth – April 2023

The following submission from the Vision Group for Sidmouth to the planning application 23/0571/MFUL will focus on the specific issues of Affordable Housing and Balanced Communities – with particular reference to both the East Devon Local Plan and the Sid Valley Neighbourhood Plan.

Introduction:

It is clear that the applicant's intention is to avoid providing any onsite Affordable Housing, as laid out in their Planning Statement/Affordable Housing document:

“McCarthy and Stone assert that the provision of onsite affordable housing units on a site such as this, within specialised housing for the elderly is both problematic and unviable and that an off-site contribution would be more suitable if viability considerations permit.”¹

This directly contravenes the stipulations of the East Devon Local Plan. Under Strategy 34 - District Wide Affordable Housing Provision Targets, it states that:

“Areas to which higher (50%) affordable housing targets apply: Outside of the areas listed above (i.e. all other parts of East Devon including all settlements not listed, coastal and rural areas and Budleigh Salterton and Sidmouth) 50% of the dwellings shall be affordable subject to viability considerations. The 50% figure applies to all areas that do not come under the 25% classification and which are permitted under Strategy 35 ‘Exceptions’ policy. Where a proposal does not meet the above targets it will be necessary to submit evidence to demonstrate why provision is not viable or otherwise appropriate.”²

The applicant's Planning Statement/Affordable Housing document does indeed seek to submit such evidence, to demonstrate how any provision would not be viable. This is to be expected:

“Local planning authorities specify a percentage of affordable housing that developers have to provide. But these policies are not all-powerful... In essence, financial viability assessments provide a loophole for developers to escape their affordable housing obligations.”³

The following submission refutes the claims by the applicant that the provision of onsite Affordable Housing is unviable. On the contrary, any consideration of housing needs and of Balanced Communities demonstrate the viability, if not necessity of Affordable Housing for the Sid Valley.

¹ [23/0571/MFUL](#) | - Planning Statement/Affordable Housing: Statements and Surveys 16 March 2023

² [East Devon District Council East Devon Local Plan 2006 to 2026](#) – page 105

³ [How private developers get out of building affordable housing | New Economics Foundation](#)

Affordable Housing – or not:

Over the past decade and more, there have been two major, contentious planning applications for the Knowle site – both of which were rejected by the Planning Authority.

12/1847/MOUT⁴ took many years of planning applications, but was dismissed by its planning committee⁵, the objections being overwhelming⁶.

16/0872/MFUL⁷ amounted to an almost identical application – and was again rejected, on similar grounds⁸, with extensive objections⁹.

With regards to the provision of Affordable Housing in particular, the applicant for 16/0872/MFUL was informed by the senior planning officer that:

“the scheme constitutes a C3 use and the level of affordable housing sought will come as a disappointment but we can assure you that these issues have undergone a very detailed consideration by Officers with appropriate independent legal opinion... Concerning the issue of affordable housing, the policy of the Local Plan sets out a target of 50% affordable housing for residential development in Sidmouth. The presumption is that such affordable housing should be provided on site. As a result we will be seeking on-site provision of affordable housing in this case.”¹⁰

The target of 50% Affordable Housing of course remains under the current ED Local Plan.

The applicant for the latest proposals at Knowle produced Draft Proposals for the site in December 2022:

“The updated proposals for the site’s redevelopment look to provide a purpose-built care home, Extra Care and age-restricted Retirement Living accommodation as well as policy compliant affordable housing.”¹¹

That is, Affordable Housing was to be provided under these proposals. However, even this provision was less than that which was earlier proposed:

“The number of affordable apartments has been reduced from 21 to 17. This has also enabled the affordable apartment block to be relocated from the northeast part of the Plateau to the north-west, that is stepped away from neighbouring properties.”¹²

23/0571/MFUL now seeks to exclude any provision of onsite Affordable Housing, and as such, the applicant has sought to produce justifications to support its new position.

In so doing, the applicant has in fact sought to undermine the Strategies and Policies as set out in the ED Local Plan and the SV Neighbourhood Plan.

⁴ [12/1847/MOUT | Outline application](#)

⁵ <https://eastdevon.gov.uk/media/1204905/combined-council-minute-book-100413.pdf> - Minutes of a special meeting of the Development Management Committee held at the Council Chamber, Knowle, Sidmouth, on Friday 1 March 2013

⁶ [12/1847/MOUT | Outline application](#) - comments

⁷ [16/0872/MFUL |](#)

⁸ [Date: 15 April 2003](#) - Agenda for Development Management Committee Tuesday, 6 December 2016

⁹ [16/0872/MFUL |](#) - comments

¹⁰ [Futures Forum: Knowle Relocation Project: How to classify the proposed development: as C3 housing or as C2 care home? and C2 and C3 land use classification for Knowle development - a Freedom of Information request to East Devon District Council - WhatDoTheyKnow](#)

¹¹ [Fresh plans to transform The Knowle into a retirement village - Devon Live](#)

¹² [Fresh plans to transform The Knowle into a retirement village - Devon Live](#)

Balanced Communities and the East Devon Local Plan

Fundamentally, it was clear to the ED planning committee that the planning application 16/0872/MFUL contravened several key policies in the Local Plan¹³. Even before it was finally adopted, there were concerns that *“a retirement community would contravene rules set out in the emerging East Devon Local Plan.”*¹⁴ The current planning application does nothing to address these contraventions and concerns.

These concerns have been a key issue with regard to the decade's planning applications at Knowle; they are also fundamental to the ED Local Plan itself. This is especially the case for Sidmouth, in that Strategy 34 of the Local Plan¹⁵ clearly seeks to foster Balanced Communities. This is further highlighted in other key planning documents:

*“Sidmouth has a far higher over-85 population than the rest of the country, let alone Devon. Assisted living accommodation on this site will do nothing to redress the existing imbalance.”*¹⁶

Sidmouth clearly faces a ‘demographic time bomb’¹⁷ and yet even the Planning Authority recognises that the “influx of new residents”¹⁸ will be made up mainly of the elderly – most of whom will be from outside the District – whether for the current or for earlier planning applications¹⁹.

These points will be further addressed below.

Balanced Communities and the Sid Valley Neighbourhood Plan:

Significantly, a key finding during the unprecedented public consultation for the Sid Valley Neighbourhood Plan was the demand for more ‘balanced communities’.

The current planning application 23/0571/MFUL seriously undermines this. The submission by the SV Neighbourhood Plan steering group to the 16/0872/MFUL is not only directly relevant to the 23/0571/MFUL, but is very clear in its justifications:

“Additionally, the Pegasus proposal is not in accordance with Strategy 34 District Wide Affordable Housing Provision Targets and to Strategy 4 – Balanced Communities in which a commitment to redressing the existing population imbalance is seen as a priority.

“Conclusion: Given that there is no evidence of local housing need of the type Pegasus Life proposes, its reasonable to expect Pegasus Life to target retirees from outside Sidmouth, exacerbating the already considerable age imbalance in the community. We assert that there is no evidence presented by Pegasus Life that provides sufficient weight to override

¹³ [PegasusLife proposal for Knowle contravened “almost all of the relevant Strategies in the Local Plan”, EDDC Planning Committee was told. | Save Our Sidmouth](#) and [Submission from the Vision Group for Sidmouth 17/00040/REF Knowle Appeal - Vision Group for Sidmouth](#) and [Futures Forum: Knowle relocation project: planning application to be considered by District Council: Tuesday 6th December >>> planning officers brush aside planning policies](#)

¹⁴ [Futures Forum: Knowle relocation project: The proposed "retirement community" breaches the District Council's own plans for "more age-balanced communities"](#).

¹⁵ [Local Plan 2013-2031 - East Devon](#) and [When will I need to provide affordable housing? - East Devon](#)

¹⁶ [Futures Forum: Knowle relocation project: planning application rejected again by Town Council: 85% of the development should be restricted to local residents](#)

¹⁷ [Futures Forum: East Devon's demographic time bomb >>> "the District Council has a duty to create balanced communities"](#)

¹⁸ [New chapter for Sidmouth and there is life after the Knowle' as council pushes ahead with relocation plans - Devon Live](#)

¹⁹ [Futures Forum: Knowle relocation project: Is PegasusLife targetting retirees outside Sidmouth?](#)

the evidence gathered by us from the Sid Valley community. On the contrary, there is clear support for EDDC's Local Plan commitments to its own Key Issue and Objective 3: Supporting and Encouraging Thriving Communities, and to Strategies 4 – Balanced Communities, Strategy 26: Development of Sidmouth (50 homes, site ED02A) and to Strategy 34: District Wide Affordable Housing Provision Targets.

“The SVNP does not support the Pegasus Life Application and recommends refusal.”²⁰

However, the standing of the SV Neighbourhood Plan was itself seriously undermined during the Appeal for 16/0872/MFUL, where Council for the developer chose to dismiss the provisions of the Plan, as it “had not emerged” at the time of the hearing.

And yet, as confirmed at the appeal, in terms of planning regulations, *“an emerging plan carries statutory weight: we contend that if this appeal... is supported, the result would be to undermine and prejudice the preparation of the final Sid Valley Neighbourhood Plan.”²¹*

On the one hand, it could be argued that the granting of the appeal has indeed undermined the SV Neighbourhood Plan; on the other, the fact that the Plan was made subsequent to the appeal puts into serious doubt the success of any similar appeal, or indeed any similar application – the current application being clearly similar to its predecessors on most counts.

The full Neighbourhood Plan provides substantial evidenced context, with references to housing, economic resilience and young people, all of which calls for a ‘balanced community’²².

As the ‘vision statement’ makes clear, *“To meet the needs of our community the Sid Valley requires carefully balanced development providing suitable affordable housing for residents both young and old. Our goal is to promote a more balanced community...”²³*

Similarly, the Housing Questionnaire responses showed that *“residents want to encourage a more balanced age profile in the town,”* whilst the Household Questionnaire contained *“important messages about concerns that residents share – problems with traffic and congestion, unease about local planning decisions, a perceived lack of affordable housing for local people and a population that is not balanced in terms of age and diversity.”²⁴*

Fundamentally, however, this latest application undermines the key principle of ‘localism’²⁵, and yet the report from the Commission on the Future of Localism has “called for localism to be reinvigorated”: *“And while the Community Rights have brought new powers for communities – to save local buildings and get involved in local planning – these have not been enough to fundamentally change the balance of control in our neighbourhoods.”²⁶*

²⁰ [Developer’s plans for Knowle: Inspector hears evidence on ‘Proof of need’ | Save Our Sidmouth](#)

²¹ [Developer’s plans for Knowle: Inspector hears evidence on ‘Proof of need’ | Save Our Sidmouth](#)

²² [Neighbourhood Plan - Sidmouth Town Council](#)

²³ [Sid Valley Place Analysis](#)

²⁴ [Report-on-the-First-Household-Questionnaire.pdf](#)

²⁵ [LocalGov.co.uk - Your authority on UK local government - What is Localism?](#)

²⁶ [LocalGov.co.uk - Your authority on UK local government - Lord Kerslake: Let's reignite the possibilities of localism](#)

Creating unbalanced communities

The Sid Valley has an ageing population, as made clear in the introduction to Sidmouth, under Policy 41 of the new, draft ED Local Plan: *“6.47: 43% of residents are aged 65 or over, making it one of the most elderly settlements in East Devon”*²⁷

In fact, Sidmouth is one of the most elderly settlements in the country²⁸.

On the other hand, the draft ED Local Plan recognises the housing needs of younger people: *“6.51: ... in recognition of the shortage of social and affordable homes, particularly for younger people and families, the plan adopts a cautiously positive policy stance to enable small scale exception schemes for mixed affordable and market schemes.*

It is to be welcomed, therefore, that the draft ED Local Plan's Policy 40 on Affordable Housing seeks to “foster balanced and mixed communities”, especially with the insistence that any new site (including proposed Sidm_01) provides a minimum of 35% Affordable housing.

Whilst Policy 40 is clearly directed at helping younger people to find homes, very recently it has been shown that young families are in fact already moving to East Devon. The working-from-home phenomenon is affecting market and seaside towns in positive and unprecedented ways – which needs to be planned for²⁹.

Meanwhile, any 'ageing' of the population of East Devon is not due to the local resident population getting older – but is due to the substantial inward migration from outside the District. By providing elderly specialist accommodation, this latest planning application at Knowle will simply encourage the further increase in migration of this demographic³⁰.

Moreover, this proposed development will attract those who prefer the ghettoised accommodation of 'gated' and 'specialist communities', rather than encourage the mixed and balanced communities which the draft Local Plan seeks. More dramatically, however, there is a clear risk that an increase in this demographic will put even more pressure on our already strained health and care services³¹.

Sidmouth already has a considerable amount of housing built specifically for the elderly, with the recent Churchill development at Sidford succeeded by the latest proposal at Knowle: these dwellings are unique, in that they are ‘age discriminatory’, as people under 55 are legally unable to occupy these properties.

Whilst the private sector is building these properties within the District, there is good evidence that demand is not that strong. Firstly, it appears to take a long time to sell these developments. Secondly, the value of the properties typically falls quite dramatically once the marketing efforts of the developer are withdrawn. Thirdly, the value of these properties seems to stay persistently low, with availability across the District at less than £100,000.

²⁷ [1a Working draft local plan.pdf](#)

²⁸ [Sidmouth is singled out as one of the towns facing the biggest increase in the elderly - Vision Group for Sidmouth](#)

²⁹ [Working from home - working from the seaside - Vision Group for Sidmouth](#)

³⁰ “The migration of population into East Devon from other parts of the UK show that in 2017 there were 2,620 more people moving into the area than out.” [Knowing East Devon summary - People - East Devon](#)
 “The migration of population into East Devon from other parts of the UK show that in 2011 there were 1130 more people moving into the area than out.” [Futures Forum: Migration, Sidmouth and East Devon](#) and [Futures Forum: Housing: "it would be impossible to build to meet demand because there is a never-ending queue of people who want to move to Devon."](#)

³¹ [Knowle planning application: focus on \(lack of\) care provision - Vision Group for Sidmouth](#)

Housing numbers: questioning the assumptions around 'demand':

The Executive Summary of the Housing Needs Assessment considers how to establish 'current unmet need for affordable housing' – based in turn on general Local Housing Need³².

It states at point 20 that the minimum LHN figure across East Devon is 918 dwellings per annum – which translates to 18,360 dwellings (918 x 20) across the twenty-year period. This is a figure set by central government – which in turn has to be justified (see further comment below).

However, population and economic growth rates have been volatile since the current Local Plan was created³³. Furthermore, using algorithms to determine such rates has since been discredited³⁴.

Moreover, “East Devon has over-delivered by 37%, 5% and 28% over the past three years (average 22%); by 33% overall over the past five years (1,155 excess houses).”³⁵

Finally, there does seem to be confusion between housing 'need' and housing 'demand'³⁶, as has been observed by a South Devon councillor:

*“Cllr Brazil told councillors and officers present about the pressure his community in south Devon was under from development. He said it would be impossible to build to meet demand because there was a never-ending queue of people who wanted to move to Devon. He emphasised that it wasn't about need, but demand.”*³⁷

Housing numbers: questioning the assumptions around 'workers'

Sidmouth property and rental prices are the highest in East Devon. The priority for new housing in the Sid Valley, therefore, must be Affordable Housing – especially as the 'balance of jobs to workers' is inadequate.³⁸

As the application for an industrial estate at Sidford indicated, there are more workers commuting into Sidmouth than those commuting out – as referenced in the Save Our Sidmouth submission to the 2013 draft Local Plan³⁹ and in this VGS comment on the 2018 planning application 18/1094/MOUT:

*Sidmouth is the only settlement (besides Axminster) in East Devon which has more people commuting into town for work: the Chamber carried out detailed analysis of the figures, concluding that “taking into account very low unemployment, and a declining population of working people... the majority [of the workforce] will undoubtedly be sucked in from outside the town, thus INCREASING commuting.”*⁴⁰

³² [East Devon, Exeter, Mid Devon and Teignbridge Local Housing Needs Assessment 2022](#)

³³ [Futures Forum: Is the Heart of the SW Local Enterprise Partnership delivering value for money? "Its below average performance - from unlocking investment to falling productivity - surely can only be seen as a failure?"](#)

³⁴ [Calculating Devon's housing need by algorithm - Vision Group for Sidmouth](#)

³⁵ [Devon is building 30% more houses than required! February 2021 | Devon Planning Applications | CPRE](#)

³⁶ [Futures Forum: Identifying housing 'need' and Futures Forum: 'Needless Demand' >>> Or: What's the difference between 'need for housing' and 'demand for housing'?](#)

³⁷ [Futures Forum: Housing: "it would be impossible to build to meet demand because there is a never-ending queue of people who want to move to Devon."](#)

³⁸ [Sidmouth, housing to rent and AirBnB - Vision Group for Sidmouth](#) and [East Devon's housing crisis is bigger than your backyard | Sidmouth Herald](#)

³⁹ [REPRESENTATION FROM SAVE OUR SIDMOUTH \(SOS\)](#)

In other words, any 'balance of jobs to workers in Sidmouth' occurs simply by 'balancing' well-paid Sidmouth residents commuting into Exeter in order to work at the University, Science Park or Met Office – with those commuting into Sidmouth in order to work in the low-paid hospitality and care industries.

This latest planning application at Knowle will simply exacerbate these tensions: by building high-end, age-restricted accommodation where the residents will require care, it will simply increase the number of workers who will be needed to look after them – and who will have to commute into Sidmouth from neighbouring settlements where more Affordable Housing is available.

The applicants will need to clarify exactly how this application will contribute to providing housing for the low paid who will be required to work at this proposed development.

Housing numbers: questioning the assumptions

During the consultation on the new draft ED Local Plan, it was made clear by the chair of the Planning Authority's strategic planning that *“The government enforces arbitrary housing numbers that district & unitary councils must follow otherwise we lose planning powers. This opens the door for even less sustainable development.”*⁴¹

Only weeks later, the government decided to abandon these housing targets, with the Home Builders Federation predicting a “complete collapse” in local plan making.⁴²

The draft EA Local Plan has now been put on hold – thereby putting a question mark on its updated housebuilding targets, including those at the Knowle site.⁴³

Finally, it should not be forgotten that the current, rather than the draft, ED Local Plan's quota for the number of housing units on the *“Land at Current Council Office Site – Land for residential use is allocated for 50 homes, site EDO2A.”*⁴⁴

The housing numbers being proposed for this site under the latest planning application are well over double that figure.

Conclusion:

It is abundantly clear that the latest planning application at Knowle is treading the same path as those others advanced over the last decade. Its proposals for a ghetto for the elderly, many of whom would need care, are themselves unviable. These proposals not only fail to provide the Affordable Housing as stipulated in the ED Local Plan, but seriously undermine the determination of the SV Neighbourhood Plan to create viable Balanced Communities in the Sid Valley.

Submitted by Jeremy Woodward on behalf of the Vision Group for Sidmouth

40 [Futures Forum: VGS comment on Fords planning application 18/1094/MOUT >>> "there is no proven need for this particular business park"](#)

41 [EXCLUSIVE: East Devon Local Plan: What is its housing target? - Vision Group for Sidmouth](#)

42 [East Devon Local Plan: What is its housing target now? - Vision Group for Sidmouth](#)

43 [15 February 2023 - Discussions on Local Plan sites to wait while Government clarifies flexibility of housing targets - East Devon](#)

44 [East Devon District Council East Devon Local Plan 2006 to 2026](#) and [Vision-Group-for-Sidmouth-submission-to-the-draft-East-Devon-Local-Plan-2023-final.pdf](#)