

## **NDP Modification Consultation**

South Huish Parish Council wish to make an amendment to the South Huish Neighbourhood Development Plan relating to Policy 3 Principal Residence Restriction requirement for new housing.

South Huish Parish Council do not consider that the changes requested have any impact on the intentions of the Plan and in fact provide additional security to enable the Plan to deliver on its requirement for principal homeowners.

To enact these changes South Huish Parish Council needs to consult with various parties and the documents that support these consultations can be found using the link below.

# **South Huish Neighbourhood Development Plan 2014-2034 Consultation Statement**

## **Modification to Neighbourhood Plan**

### **Introduction**

South Huish Parish Council ('the Council') propose to modify the 'Made' South Huish Neighbourhood Development Plan ('the Plan'). The amendment relates to **Policy SH H2 Principal Residence** requirement for new housing ('the Policy').

It is considered that this is a material modification but one which the Council believes is not so significant or substantial as to change the intentions of the Plan. It is regarded as a strengthening of one part of the Plan and the modification can be made without a referendum but in accordance with the 2012 Regulations amended by the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2017 No.1243. Regulation 14 of the Regulations requires

'in relation to a modification proposal, a statement setting out whether or not the qualifying body consider that the modifications contained in the modification proposal are so significant or substantial as to change the nature of the neighbourhood development plan which the modification proposal would modify, giving reasons for why the qualifying body is of this opinion'

The Council voted unanimously in agreement of the modification at a full council meeting on 10 July 2023.

## **Existing Policy**

The current wording of the Policy is

### **Policy SH H2 Principal Residence**

- a) New open market housing, excluding replacement dwellings, will only be supported where there is a restriction to ensure its occupancy as a principal residence guaranteed through a planning condition or legal agreement.
- b) New unrestricted second homes will not be supported at any time.
- c) A principal residence is defined as one occupied as the residents' sole or main residence, where the residents spend the majority of their time when not working away from home, and the condition or obligation on new open market homes will require that they are occupied only as the principal residence of those persons entitled to occupy them.
- d) Occupiers of homes with a Principal Residence condition will be required to keep proof that they are meeting the obligation or condition, and will be obliged to provide this proof if and when SHDC requests this information. Proof of Principal Residence includes but is not limited to residents being registered on the local electoral register and being registered for and attending local services including healthcare, and schools.

### **Proposed modification**

The Council propose that the Policy be amended to only accept a S106 agreement re Principal Residence, so that the Policy will read as follows

### **Policy SH H2 Principal Residence**

- a) New open market housing, excluding replacement dwellings, will only be supported where there is a Section 106 agreement to ensure its occupancy as a Principal Residence. This policy is as a result of impact upon the local housing market of second or holiday homes. This occupancy restriction will therefore require the imposition of a legal agreement. New unrestricted market homes will not be supported at any time.
- b) Principal Residences are defined as those occupied as the residents' sole or main residence, where the residents spend the majority of their time when not working away from home. The obligation on new open market homes will require that they are occupied only as the primary (principal) residence of those persons entitled to occupy them.
- c) Occupiers of homes with a Principal Residence condition will be required to keep proof that they are meeting the obligation and be obliged to provide this proof if and when SHDC requests this information. Proof of Principal Residence includes but is not limited to residents being registered on the local electoral register and being registered for and attending local services including healthcare, and schools
- d) This policy applies to all new build development both allocated and windfall sites

where open market housing is proposed within the Neighbourhood Plan Area. A replacement dwelling is defined as a single new build dwelling replacing an existing dwelling. Where proposals for the replacement of existing dwellings by more than the number of dwellings to be demolished is approved, the additional properties will be subject to a Section 106 agreement to ensure occupancy as a principal residence.

### **Reasons for change**

The Council consider that a S106 agreement will give greater security that any properties subject to the Principal Residence obligation will maintain that obligation if and when such properties are sold. The Council consider that the difficulties in monitoring a planning condition for a Principal Residence obligation would prove to be insurmountable in the long term and will inevitably lead to such properties being sold and the Principal Residence obligation being lost.

### **Consultation process**

The Council are consulting on the Modification Proposal which will commence at 00:01 on 11 August 2025.

Your views can be sent electronically to the Parish Clerk, Ms Karen Muir at [clerk.southhuishpc@gmail.com](mailto:clerk.southhuishpc@gmail.com) or in paper format to Wilbur, Grand View Road, Hope Cove TQ7 3HF and must be received by 00:00 on 22 September 2025.

Ms Karen Muir  
Parish Clerk to South Huish Parish Council  
31 July 2025

IMPORTANT – PLEASE READ

To the Homeowner