

This Paper provides a recommendation as to the number of houses that should be planned for through the Core Strategy and a proposed way forward for the Inspector to progress the Core Strategy.

The approach proposed in this paper is supported by:

- Barratt Developments PLC;
- Bloor Homes;
- David Wilson Homes;
- Persimmon Homes;
- Taylor Wimpey;
- Strategic Land Partnerships; and
- ATA Estates.

Changes sought

A: Figure in table for CS15 to change to at least 33,000.

The overall provision for the plan period should be amended in the CS to at least 33,000 dwellings. This reflects our evidence in respect of Matter 8, which concluded that:

- the demographic led requirement results in a target of at least 28,315 dwellings; and
- an economic led requirement results in a target of at least 35,149 dwellings.

We consider that a justifiable and therefore sound approach is for the overall housing requirement to reflect the CLG 2008-based household projections which fall between these two figures (33,000 dwellings). This figure would also provide a labour force increase of about 18,600 people which reflects the Council's latest economic growth forecasts (reference: Update to Appendix 2 of the Justification for the Strategy for Housing to 2026 March 2011 - Doc EP21/1).

The approach of using the CLG 2008-based household projections was ratified by the Inspector in the recent Appeal Decision for Land at Area 4 South, Riviera Way, Torquay (APP/X1165/A/11/2165846), who considered it too early to rely on the 2010 population projections because they had not been converted into household projections – this remains the case.

B: In accordance with the NPPF, the CS should ensure that the CS provides 5 years housing land supply from the date of adoption. If the Inspector accepts that the overall requirement should be at least 33,000 dwellings, the shortfall over the period 2006-2012 is 4,436 dwellings

The Inspector should make a ruling as to whether the 5 year supply should be 5 years + 5% or 5 years + 20%.

Our proposal is that it should be 5 years + 20% because the LPA have persistently under delivered housing over 2006-2012 and will do so in 2012-2013. The Council have accepted that it should be 20% in their Housing Provision Options Paper (EiP ref: CE8).

C: The under provision in housing land supply over the period 2006-2011 should be provided over the first 5 years (Sedgefield approach) – compressed approach. The CS should make provision for: 13,862 dwellings over 2012/13-16/17 (see calculations below). This is an updated position from the 13,224 dwellings over 2011-16 referred to in table 2 of our Statement on Matter 8, to reflect the Council's Annual Monitoring Report April 2012 Update (EiP ref: EB/5).

This reflects the inherent requirement of the NPPF (exemplified by the requirement for +5% / +20%) that housing should be delivered as a priority and should not be 'held back' or back-loaded to the end of the plan period – the clear requirement is to front-load to provide sufficient flexibility and certainty that the minimum targets for housing delivery are met. The Council has provided no evidence that "the adverse impacts of doing so [meeting development needs] would significant and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole" (NPPF para 14). SGC merely highlight that local political support to make additional provision is uncertain (CE8 para 3.2 iv). Local politics is not an 'adverse impact' acknowledged by the NPPF. The shortfall should therefore, in accordance with the Framework, be made up within the next 5 years to make up for historic under provision, and as recently endorsed in the Appeal decision for land at Sellers Farm, Hardwicke, Gloucestershire (APP/C1625/A/11/2165865) and Todenham Road, Moreton in Marsh, Cotswold District (A/10/2130320).

Barton Willmore Recommended Approach

- The overall housing requirement should be at least 33,000.
- SGC's housing trajectory, in respect of committed, allocated & CS new neighbourhood sites, should be reviewed to reflect BW's trajectory which provides more realistic and achievable rates of delivery (6,612 dwellings 2012/13-2016/17).
- The 5 year requirement should be 5 years + 20%.
- The shortfall should be dealt with using the Sedgefield (compressed) approach.

Following the above recommendations, the CS should be amended to make provision for: 13,862 dwellings over 2012/13-16/17. The Council should therefore identify an additional 7,250 dwellings to be provided over the period 2012/13 – 2016/17 (13,862 – 6,612).

Calculations:

- $33,000 \div 21 \text{ years} = 1,571 \text{ dpa}$;
- $\text{Annualised 5 year requirement} = 1,571 \times 5 = 7,855$;
- $\text{Completions 2006 – 2012} = 4,990$;
- $\text{Shortfall 2006 – 2012} = 4,436$;
- $5 \text{ years} + 20\% = 9,426$;
- $5 \text{ years} + 20\% + \text{shortfall (spread over 2012/13 – 16/17)} = 13,862 (2,772 \text{ dpa})$;
- $\text{BW assessment of current supply} = 6,612 \text{ (taking account of additional sources of supply identified in the Council's Housing Provision Options Paper CE8)}$

Additional land required for 7,250.

Current supply is $6,612 \div 2,772 = 2.4 \text{ years}$.

Note: This takes no account of the Council's acknowledged shortfall in housing provided over the period 1996-2006 of 1,150 dwellings (referred to in SGC Paper CE9) and as required by the Inspector's Preliminary Conclusions on the B&NES Core Strategy.

Irrespective of whether the Inspector determines that the existing shortfall should be assessed on a compressed or dispersed approach, we recognise that meeting this 5 year requirement represents a significant challenge for SGC.

As such, there is a need for an Interim Housing Statement in order to provide transparent criteria for both the Council and developers against which the suitability of sites for development will be determined in the short term, until such time as a Core Strategy which can demonstrate a 5 year supply plus 20% is adopted. Our proposed format for the Interim Housing Statement is set out on page 7.

Procedure for Changes sought

The Inspector has sought views on the approach that he should take, should he find the Core Strategy to be unsound. Specifically in relation to the overall housing provision proposed.

We consider that there are three possible options open to the Inspector.

1. To find the Plan Unsound and require South Gloucestershire Council to restart preparation of the Plan.

We believe that there are risks in the inspector taking this approach. Much of the Core Strategy is sound and presents a positive step forward for the Council. There are very few objections to specific proposed allocations. The risk of finding the Plan unsound, in its entirety, and requiring the Council to start again is that the Council fails both to approve any further development, as it would not accord with their plan, and to demonstrate a 5 year land supply.

This would lead to severe delays in the adoption of the Plan which would not be in the interests of any party. The result would be Planning by Appeal and it would exacerbate rather than actively resolve the undersupply in housing in South Gloucestershire seen over the last 10 years.

2. To recommend the Plan be adopted but require an early review.

We do not believe that this is a feasible option. Under Regulation 112 of the Localism Act, the Plan cannot be adopted if it does not meet the requirements of the tests of Soundness. We do not consider that the Plan in its current form could be considered to meet these tests and identifying the need for an early review would be clear acknowledgement that it does not meet these tests.

This approach, which is supported by the Council (CE8), fails to provide certainty and is in direct conflict with the NPPF requirement for positive planning. SGC has not

undertaken an objective assessment of housing needs and demands in the manner required by the NPPF. The Inspector for the B&NES Core Strategy (Inspector's Preliminary Conclusions on Strategic Matters and Way Forward) has confirmed that in the absence of adequate evidence in relation to the housing requirement, there is no way that it can be found Sound, or indeed that an Inspector can suggest main modifications to make it Sound.

Mr Conroy repeatedly in the Session 8 hearing stated that SGC had "done the hard yards" in respect of housing provision and releases from the Green Belt but this is clearly not the case. SGC has done significantly less than the minimum required to meet objectively assessed housing needs because of local political pressure to cap housing numbers, not in response to any evidence demonstrating that the presumption in favour of sustainable development should be set aside for this Core Strategy.

This option would be at risk of JR and result in the Plan being adopted with an insufficient housing requirement that would not help meet the shortfall in housing that has been delivered in South Gloucestershire over the last 10 years. Furthermore, there is no mechanism to enforce South Gloucestershire Council to review the Plan. If the Council's preferred approach of review "no earlier than 2021" is followed then this is not a review and is an entirely new plan which should be progressed at this time, whatever the current circumstances as undoubtedly by then the whole planning framework and evidence base will have changed. As such the review would not be a 'review' so much as a new plan and the time taken for its production and adoption would reflect this.

There is a strong possibility, and clear indication from SGC, that the unsound Plan will not be reviewed for at least 10 years and is then followed by another Plan which follows the same process; leading to a succession of short term plans, all of which are unsound. The fact that the Council is in this position is a consequence of a lack of positive planning and it would be unacceptable to give any credence to this approach and encouragement that this does, as the Council would like to believe, represent good planning. Contrary to SGCs apparent position (CE8 para 3.7), the NPPF is absolutely clear that poor performance in housing allocations/delivery is not good planning and is not sustainable.

- 3. To recommend that the Council should meet the objectively assessed housing requirement of at least 33,000 dwellings over the Plan Period, but publicly endorse those policies that are considered to be sound.**

We believe that this is the proper course of action. This approach would, in providing a greater level of policy certainty, encourage the Council to positively determine applications that are draft allocations in the Core Strategy in order to allow for the expedient delivery of housing at locations that have been properly assessed to meet housing needs and economic growth. It would also enable neighbourhood planning to proceed (overcoming the Dawlish case precedent).

Without such an endorsement there is a clear risk (see CE8 3.2 ii) that the Council would delay the delivery of the sites which are proposed to be allocated which would further exacerbate the under delivery of housing experienced in South Gloucestershire over the last 10 years.

As the Inspector has recommended following the EIP for the B&NES Core Strategy, we consider the appropriate course of action would be to recommend that the EIP is suspended following the completion of the current Hearings in order to enable the Council to undertake additional work in order to address the deficiencies in the current CS. Any suspension should be for a period of no longer than 6 months. In this time, the LPA should undertake additional work to verify our objective assessment of housing needs and provide an opportunity for joint working with the other West of England Authorities. The LPA should then identify additional sites to ensure that the full, objectively assessed needs for market and affordable housing needs to meet the deficit in proposed housing supply.

The LPA should:

- i. produce an Interim Housing Statement to address the land supply issue in the short term (as is then discussed later on).
- ii. identify additional strategic opportunities outside the Green Belt.
- iii. undertake a more robust Green Belt review to properly examine opportunities for further strategic opportunities and safeguarding land within the Green Belt.

- iv. Sustainability Appraisal should be undertaken to assess sustainability of new sites identified to meet increased housing requirement. Consultation should also be undertaken on the revisions to the Core Strategy and proposed new sites.

The Hearings should be concluded after the consultation period has ended. The fact that in this scenario planning applications come forward in advance of the adopted document but in accordance with the initial endorsement does not undermine the planned process or community engagement – these allocations have been subject to consultation, are the Council's preferred options, will have been endorsed by the Inspector and should be released as a matter of urgency in accordance with the NPPF presumption. The only reason that it would lead to planning by appeal is if the Council continues to resist planning approvals in accordance with the presumption and its own commitment to site allocations. The fact that further allocations might be resisted for local political reasons is entirely contrary to the NPPF and does not represent the positive planning of sustainable development.

Interim Housing Statement

Also, for all options, the Council cannot demonstrate a 5 year land supply from the date of adoption. In order for the Council to meet the required supply for the first 5 years, and in advance or absence of the adoption of a Core Strategy that provides a 5 year supply (plus 20%), the Council should prepare an Interim Housing Statement. This should not be at the cost of making the Core Strategy Sound and progressing it to adoption.

The Interim Housing Statement should provide clear criteria for all parties to assess the suitability of sites for development. The Statement should:

1. endorse the draft allocations in the Core Strategy and encourage their delivery at the earliest opportunity;
2. remove the unnecessary phasing of sites identified in the Core Strategy and allow sites to come forward as soon as possible;
3. establish criteria that will allow for sites that are either:
 - i – non-strategic sites in the Green Belt; or
 - ii – strategic and non-strategic sites not inside the green belt

to be considered against that will encourage the Council to approve appropriate sites and allow their immediate delivery;

4. review the sustainability of settlements in the rural areas. Where settlements are sustainable and able to accommodate growth, the Council should review their settlement boundaries to allow for additional sites to be identified.

So as not to delay the delivery of housing across South Gloucestershire until this process has been completed, the Inspector is encouraged to confirm that the draft allocations are 'sound' and the Council should work with developers to bring forward these sites as quickly as possible.

