

**PSM29/1**

**South Gloucestershire  
Core Strategy  
Examination**

**Additional Hearing Session  
7<sup>th</sup> March 2013**

**Council Response to Q1 of Inspector's  
Supplementary Note 10<sup>th</sup> January 2013**

**February 2013**

## Inspector's Question

- Q1 Whether the additional dwellings the Council has identified (594) are valid sites which are potentially deliverable in the first five years of the plan period and do not result in double counting of other sources e.g. windfall allowances.

## Council's Response and Justification for the Additional 594 Dwellings

- 1.1 The Council is of the firm view that the additional housing provision of 594 dwellings that it provided to the Inspector as set out in its response to the Inspector's Preliminary Findings and draft Main Modifications on 16<sup>th</sup> November 2012 are valid sites that are genuinely capable of being delivered in the first 5 years of the plan period (2012/13 to 2016/17).
- 1.2 At Appendix D of the Inspector's draft Modifications *Policy CS15 – Distribution of Housing*, the Inspector has set out his preferred way for the Council to meet its housing land targets in the first five years of the Plan period. This approach, including the production of an Interim Housing Statement (IHS), while noted, is not supported by the Council for the reasons given at pages 11 and 12 of its response of 16<sup>th</sup> November 2012 (Examination Library Ref. SG28).
- 1.3 Notwithstanding this, the Council has sought to respond to the Inspector's revised supporting text at paragraph 10.6a of Policy CS15. Which states:
- "The Council will seek to achieve an annualised rate of housing delivery over the 15 year plan period 2012 – 2027. On this basis 7,788 dwellings should be provided for each 5 year period. This equates to 1,588 dwellings per annum. To comply with the requirements of paragraph 47 of the NPPF the Council will provide an additional buffer of 20% for each 5 year period to ensure choice and competition. As the required 5 year supply + 20% cannot be achieved for the current 5 year period when compared against the indicative phasing set out above, the Council will identify additional sites either brought forward from later in the plan period or, if necessary, new sites capable of meeting the shortfall. This will be achieved through the production of an Interim Housing Statement."
- 1.4 In identifying this new supply the Council has had full regard to the NPPF paragraph 47 bullet point 2 and footnote 11. This requires the Council to ensure sites it puts forward must be considered deliverable. The NPPF defines this as:
- a. sites should be available now,
  - b. offer a suitable location for development now, and
  - c. be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable.

Footnote 11 also advises that sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years.

- 1.5 With regard to the Inspector's request as set out above, the Council has undertaken a further review of potential supply. This has identified that some 594 dwellings are deliverable. As we explained in our response of 16<sup>th</sup> November 2012, these sites represent new sources of supply over and above all commitments and allocations

presented to the Examination previously. These additional new sites/ revised delivery forecasts have been added to the Council's updated SHLAA which will be published ahead of the EiP additional sitting day – Examination Library Ref. EB18/2. A full listing and justification for these sites being put forward to the Examination is set out in Table 1 below.

1.6 In essence these sites are comprised of the following 3 sources:

1. New sites not previously recorded on the Council's Residential Land Survey/ Housing Trajectory as submitted to the Examination in June 2012 – Examination Library Refs EB17/2 and EB5/2, for which planning permission has now been granted.
2. New sites not previously recorded on the Council's Residential Land Survey/ Housing Trajectory as submitted to the Examination in June 2012 – Examination Library Refs EB17/2 and EB5/2, where the council has taken steps to dispose of its property asset and can therefore give the necessary certainty that planning permission will be granted in 2013 and the site delivered by 2017.
3. Sites or parts of sites previously recorded on the Council's Residential Land Survey/ Housing Trajectory as submitted to the Examination in June 2012 – Examination Library Refs EB17/2 and EB5/2 to be delivered in years 6 onwards, which the Council considers are capable of being brought forward from later in the plan period into the first five year delivery period.

1.7 The Council is able to confirm to the Inspector that the inclusion of these sites do not result in double counting of other sources e.g. windfall allowances. Windfall allowances shown in the Council's Housing Trajectory only relate to "small sites" less than 10 dwellings. None of the sites listed in Table 1 are "small sites", therefore there is no double counting. The Council fully justified its approach to windfall sites and how this complied with the NPPF paragraph 48 during the Examination hearings in June and July 2012 as set out at Matter Statement 8 (PSM8) paragraphs 5.1 to 5.4. In response to issues raised following consultation on the Inspector's draft Main Modifications a further update is provided at Appendix 1.

1.8 In addition, the Council is able to further advise the Inspector that it is confident that, through its own estate disposal programme and through a review being carried out by Merlin Housing Association, (who now own the council's housing stock under Large Scale Voluntary Transfer arrangements), of its property assets, a considerable number of additional suitable residential developments will be deliverable in the next 5 years. Examples of previously developed council owned sites currently being marketed as "development opportunities" include: Conygre House, Filton (0.29 ha); Kerr House, Kingswood (0.35 ha); and Wapley Court, Yate (0.37 ha) Examination Library Ref. EB77. Given the ownership of these sites and their urban location within the established residential area, there must be considerable certainty that they could make a further contribution to housing supply, especially to market segments not well served by the private sector e.g. affordable housing. Following due process for site disposals, the council is confident that additional suitable sites, although currently not counted, will come forward. Those sites named above could generate in the order of 40 additional new homes. Other similar Council owned sites could generate a further 140 new homes (Details are set out in SHLAA Examination Library Ref. EB18/2).

1.9 The housing provision and housing distribution set out in Policy CS15 is the central plank of the Council's commitment to deliver growth sustainably and in accordance with the primacy of the development plan, drawing from the Plan's development strategy (Chapter 4) and Policy CS5 (Location of Development). The Council is therefore confident that the provision and distribution of some 594 additional homes is consistent with the NPPF and represents valid and deliverable sites not previously put forward by the Council in order to satisfy housing land targets. For the reasons set out in this paper the Inspector is respectfully asked to take these matters into consideration.

**Table 1 – New Sources of Supply Not Previously Presented to the EIP for Development in the First Five Years**

Source	Number of Additional Units	Justification put forward for deliverability - compliance with NPPF paragraph 47 bullet point 2 and footnote 11.
<b>New sites with Planning Permission</b>		
Frome Court, Thornbury	14	New planning permission not included in evidence at the EIP. Site under construction as at October 2012.
Land at Broad Lane, Yate	14	New planning permission not included in evidence at the EIP. Site under construction as at December 2012.
Minelco Site, Randolph Ave. Yate	34	New full planning permission (PK11/4046/F) not included in evidence at the EIP. As planning permission granted and no clear evidence that scheme will not be implemented within five years, site considered deliverable until permission expires.
Blackhorse Day Centre, Mangotsfield	31	New outline planning permission (PK12/3018/R30) not included in evidence at the EIP. As planning permission granted and no clear evidence that scheme will not be implemented within five years, site considered deliverable until permission expires.
<b>Planning Applications for new sites</b>		
Rodford Primary School site, Yate	63	Planning application submitted for residential development (PK12/3163/R30). The council is disposing of its property asset and therefore considers that the requirements of NNPF para. 47 will be met and the site delivered by 2017.
The Heath/Newton House, Cadbury Heath	60	Council site comprising vacant former resource centre and elderly persons home. The site is expected to deliver an ExtraCare scheme consisting of minimum of 60 mixed tenure self contained flats and ancillary communal areas for older people. The proposal has been tendered to Housing Delivery partners. This development will deliver a significant contribution to the South Gloucestershire Strategic target of 700 ExtraCare units by 2016 and thereby improve choice of secure independent living for older people. The council is disposing of its property asset and therefore considers that the requirements of NNPF para. 47 will be met and the site delivered by 2017.

<b>sites moved forward into five year period</b>		
The Rotunda Club, Moravian Road, Kingswood (RLS Ref. 0112)	14	Site identified at April 2012, but not included in five years due to uncertainty. Site now under construction as at October 2012 and 8 units complete/nearing completion.
Kingswood Trading Estate, Kingswood (RLS Ref. 0095)	57	Site identified at April 2012, but not included in five years due to lack of activity on site. Pre-commencement conditions formally discharged May 2012 and demolition works on site commenced at October 2012, therefore included within the Five years.
Bath Street Garage, Staple Hill (RLS Ref. 0113)	14	Site identified at April 2012, but not included in five years as owners not developing site themselves. Site for sale and new full planning permission (PK11/2491/EXT) granted 31/07/12. As planning permission granted and no clear evidence that scheme will not be implemented within five years, site considered deliverable until permission expires.
Sir Bernard Lovell Playing Field, Oldland Common (RLS Ref. 0117)	13	Site identified at April 2012, but not included in five years due to uncertainty. New full planning permission PK12/2249/F 31/10/2012 (Cotswold Homes – “The Bridge”), properties being marketed <a href="http://www.cotswoldhomes.co.uk/">http://www.cotswoldhomes.co.uk/</a> As planning permission granted and no clear evidence that scheme will not be implemented within five years, site considered deliverable until permission expires.
Barnhill Quarry, Chipping Sodbury (RLS Ref. 0129)	40	Part of larger site which at April 2012 was not expected to be delivered as quickly as now anticipated. This follows a change in filling method to the southern end of the quarry, as it will now be filled largely by Hanson themselves (using overburden and reducing excessive bunds – as per ref.PK12/1828/F noted below), as opposed to commercial landfill. Therefore phasing amended/accelerated. Site has Outline planning permission PK10/1675/O. The scheme comprises a food store, infilling of part of quarry and residential development. Food store has Reserved Matters consent, contractors on site and construction commenced December 2012. Planning permission PK12/1828/F subject to completion of final agreement for phase one of housing development comprising 60 elderly persons flats (McCarthy and Stone), units being marketed. Planning permission (PK12/1189/MW - S106 signed 27/11/12) for the extraction of quarry waste to supply material to form part of residential development platform. Pre-application discussions regarding layout and appearance (EK12/1167) for the remaining residential proposals currently taking place with Bloor Homes with a reserved matters application anticipated March/April 2013.
New Neighbourhood – North Yate (RLS Ref. 0133)	240	Two important developments have taken place since the delivery rate was discussed at the EIP in respect of the Heron land at North Yate. <ul style="list-style-type: none"> <li>• The recognition by Wessex Water that there is capacity in the existing foul</li> </ul>

		<p>drainage infrastructure to serve 750 dwellings. Related to that, is the grant of planning permission to Barratt in respect of their site within the New Neighbourhood at Peg Hill. There was already in place an agreement between Heron and Wessex Water which ring-fences a capacity in the system for 500 dwellings from the Heron land prior to the delivery of any new strategic sewerage infrastructure.</p> <ul style="list-style-type: none"> <li>The Design and Access Statement accompanying Heron's application (June 2012) includes a phasing and delivery programme which indicates that in the first five year period to 2017, approximately 500 dwellings would be constructed. Added to the 250 dwellings expected from the Barratt development at Peg Hill, the Yate New Neighbourhood will deliver 750 dwellings in the period, consistent with the scale of development identified by Wessex Water at this stage to be capable of delivery from the existing sewerage infrastructure.</li> </ul> <p>A letter setting this position out has been provided by David Lander of Boyer Planning on behalf of Heron Homes (November 2012). A further letter confirming Heron's commitment to this: "...conservative trajectory." at the North Yate New Neighbourhood, has also been provided (January 2013). See Examination Library Ref. EB78.</p>
<p><b>Total Additional Units</b></p>	<p><b>594</b></p>	

## Appendix 1

### Justification for small site windfall allowance

In explaining the Council's approach to windfalls it is important to distinguish between small site commitments and the allowance made for further small site completions considered to come forward from currently unidentified windfall sources.

There is currently (April 2012) approximately 715 dwellings on small sites with planning permission. (See April 2012 Residential Land Survey - Examination Library Ref. EB17/2). Of these some 222 units are under construction. Of the remaining 493 dwellings, allowing for a 10% non implementation allowance, some 440 are considered capable of being delivered. This is identified in the Council's five year Housing Trajectory for the period 2012/2017. Given these sites all have a planning permission and their location is specifically known, this source of supply is considered to be commitments and do not count towards the Council's small site windfall allowance.

An additional 2,250 dwellings are identified as Small site windfalls in the period 2012 to 2027. This represents some 750 dwellings in each five year period up to 2027 or an average of 150 dwellings per annum over and above those sites with planning permission. In estimating this potential the Council has been mindful of a number of factors as set out below:

#### New Planning Applications Registered for Small Sites

Monitoring of planning applications for new dwellings on small sites received by the Council (The Council's "Weekly List" of "Applications Received" available from the Council's website) shows that since September 2011 they are being submitted at an average of 12 per week. Allowing for applications that are refused planning permission, withdrawn applications and applications on existing committed sites (Reserved Matters applications, Extension of Time applications, Amendment applications), over 40% of all applications registered (based on applications decided to date) result in planning permissions on new sites. This illustrates potential for some 250 dwellings on average per annum to be added to the stock of small sites. This is more than sufficient to support an allowance of 150 dwellings per annum.

#### New Planning Permissions Granted and Development of Small Sites on Gardens

Analysis of planning permissions granted in the period 2006 to 2012 (see Table 1 on page 10 below) has shown that 324 dwellings per annum have been granted on small sites with an average of 105 dwellings on gardens. Even in the period after 2010 when new guidance on such development came in to force 179 dwellings have been granted planning permission on gardens.

If development on gardens were discounted in total from the calculations, planning permissions on small sites still stand at an average of 219 dwellings per annum over that same period (See Table 1 below).

In addition analysis of planning permissions granted between 1<sup>st</sup> April 2012 and 31<sup>st</sup> December 2012 (The Council's "Monthly List of Decisions" available from the Council website) shows that after allowing for permissions on existing committed sites (Reserved Matters applications, Extension of Time applications, Amendment applications), some 170 additional new dwellings were granted planning permission on small sites.

The supply of new small sites is therefore continually being replenished.

## Past Small Site Completions

Small sites of less than 10 dwellings have historically made a significant contribution towards housing supply across South Gloucestershire. Whilst annual completion rates have fluctuated over the past 10 years from a low of 84 in 2000/2001 to a high of 346 in 2007/2008 they have averaged approximately 200 dwellings per annum. In the past five years however this average has increased to over 260 dwellings per annum (See April 2012 Residential Land Survey - Examination Library Ref.EB17/2)

As demonstrated over the five years to April 2012 (See Table 2 below), when 1,311 dwellings in total were built on small sites, even in a period of slow growth in the housing market, this sector of the development industry is more than capable of making a significant contribution to housing delivery over the next five years. The Council therefore considers that to make an allowance for this level over the plan period is entirely appropriate.

## Types of Sites

Analysis of types of small sites that have been completed over the past three years shows that on average 65% of homes have been new build, 12% conversions from existing housing, e.g. large houses to flats, and 23% change of use from other buildings to dwellings. Further analysis of the details of Small sites held within the Councils' Residential Land Survey Database at April 2012 show that over 80% of records are for 1 or 2 dwellings. By their very nature such sites are easier to deliver than large housing sites. Importantly many of these small sites are also by their very nature, non speculative schemes. It is also logical to assume that provision of access and services to such sites is relatively straight forward, and in the case of conversions require little building work to implement.

## Relationship between small site commitments and small site windfalls

As detailed above, 715 new dwellings are programmed to come forward from small sites with planning permission. With 222 dwellings from this source under construction and a further 490 (440 following 10% non-implementation allowance) with planning permission, it is not unreasonable to consider these sites will be delivered as shown in Appendix A, Table 1 of the December 2012 AMR, Examination Library Ref. EB5/3 ("Small Sites less than 10 dwellings Under Construction" and "Small Sites less than 10 dwellings Not Started" – final two Green highlighted rows) to be completed from 2012 to 2017. However, the Council is also aware that small sites will continue to come forward through the planning system in addition to this stock of commitments as shown by the 170 additional new homes granted planning permission between 1<sup>st</sup> April and 31<sup>st</sup> December 2012.

In essence future delivery from this source of supply will not simply stop once the 715 new homes have been built out. Therefore, in accordance with paragraph 48 of the NPPF, and based on the justification as set out above, an allowance is made for 150 dwellings per annum. This is in addition to the 715 new homes with planning permission. The council has been careful to ensure assumptions for annual delivery from currently unallocated small site windfalls when combined with small site commitments with planning permission do not exceed reasonable estimates for the small sites from sites of 1-9 dwellings when based against past completion rates and taking account of current national policy. This is shown in Appendix A, Table 1 of the December 2012 AMR ("Small sites Windfalls" – final Pink highlighted row).

## Conclusions

It is clear from analysis of the evidence that each year the supply of extant planning permissions continues to be replenished, and that this supply is at a rate equal to or greater than the rate at

which new dwellings are completed. Building on small sites has continued at a high level even in a period of slow housing growth. The Council therefore considers that the level of small site delivery identified in its Housing Trajectory Appendix A, (Examination Library Ref. EB5/3) Table 1 of the December 2012 AMR, comprising both existing commitments (“Small Sites less than 10 dwellings Under Construction” and “Small Sites less than 10 dwellings Not Started” – final Green highlighted rows) and new windfalls (“Small sites Windfalls” – final Pink highlighted row) is fully justified and consistent with national policy.

**Table 1**

**South Gloucestershire - Small Site "Windfall" Analysis**

**Annual planning permissions on small sites (Net)**

	Total Units	Units on Gardens	Revised Total
2006/2007	380	89	291
2007/2008	459	130	329
2008/2009	404	122	282
2009/2010	249	110	139
2010/2011	228	84	144
2011/2012	225	95	130
<b>Average dpa</b>	<b>324</b>	<b>105</b>	<b>219</b>

*Source: Residential Land Survey Database April 2012*

*Note: The above figures use base information from the Council's Monthly Lists of Decisions published on the Council's website. Any duplication of planning permissions on the same site have been allowed for.*

**Table 2**

**South Gloucestershire - Small Site "Windfall" Analysis**

**Annual completions on small sites (Net)**

	Total Units	Units on Gardens	Revised Total
2006/2007	218	80	138
2007/2008	346	84	262
2008/2009	332	86	246
2009/2010	267	50	217
2010/2011	197	77	120
2011/2012	169	64	105
<b>Average dpa</b>	<b>255</b>	<b>74</b>	<b>181</b>

*Source: Residential Land Survey Database April 2012*