

## Email attachment

<b>To: Programme Officer</b>	<b>Of: South Gloucestershire Core Strategy</b>	
<b>From: Graham Parker</b>	<b>Date: July 18<sup>th</sup> 2013</b>	<b>Our Ref: 1042/GP</b>
<b>Subject: Core Strategy</b>		

Dear Kath

The Inspector has invited comment on the local planning authority's note of June 7<sup>th</sup> related to the recent Engine Common appeal decision.

We wish make three points about that note.

### 1 5 year supply and 'soundness'

The first point reiterates the advice given by Mr Cahill QC in July 2012, that there is no requirement for the Inspector to identify a 5 year supply in order for him to be able to find the Core Strategy sound:

- "4. There is no express legal requirement that the CS should demonstrate a 5 year supply. It is obviously preferable that it should, but that proposition should not be elided into a different proposition namely that the absence of a 5 year supply is either unlawful or automatically renders a CS unsound ..."<sup>1</sup>

Paragraph 47 of the NPPF, to which reference has been made by a number of parties, contains a number of requirements with regard to housing. Two are relevant to this discussion:

- The first requires Local Plans to meet the full, objectively assessed needs for housing, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;
- The second is an entirely separate requirement for local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements.

We acknowledge that it might be preferable, from a practical point of view, for a 5-year supply to be identified in a Local Plan. However, as advised by Counsel, there is *nothing* in paragraph 47 to support the view that the absence of such a supply would render the plan unsound. Once the Inspector has identified the full objectively-assessed need for housing for the plan period, thereafter the onus is on the local planning authority to maintain a rolling 5 year supply of land based on the requirements of the plan.

Thus, we continue to submit that the Inspector should not consider the plan to be unsound even if he were drawn to the conclusion that a 5 year supply has not been identified.

### 2 The housing 'target'

As set out in our previous representations, the evidence before the Core Strategy Inspector supports the local planning authority's view of the housing requirement for the whole of the plan period.

At the Engine Common appeal, because of the way in which the case developed, the Inspector did not need to comment on the appellants' case that the 'target' figure for housing throughout the plan period should be 32,800 rather than the 28,355 submitted by the local planning authority.

<sup>1</sup> Note on Options written by Jeremy Cahill QC and Thea Osmund-Smith: 27<sup>th</sup> July 2012



Thus, the local planning authority is correct in asserting that the appeal decision does not impact on the Core Strategy Inspector's conclusions about housing numbers and we submit that no insight can be gleaned from that appeal in this regard.

However, even if the appeal Inspector *had* made such a comment, it would have been swiftly overtaken by the publication of the CLG Housing Projections 2011-2021 - on which he had no evidence, since they were published after evidence closed on that appeal.

In contrast, the Core Strategy Inspector has the advantage both of the Projections themselves and of the parties' comments on them. As stated previously, we believe that these Projections reinforce the local planning authority's view of housing need.

### **3 Deliverability**

The BPN Paribas report is a thorough review of the deliverability of the supply identified in the Strategy. Whilst, arguably, it should have been provided some time ago, the Inspector can take comfort from this report that the supply identified will, indeed, be adequate to meet the identified need over the plan period.

#### **Conclusion**

Having made those three observations, we believe that the Inspector has sufficient evidence on the matter of housing need and supply to conclude that the Plan meets the full, objectively assessed needs for market and affordable housing in the area.

Even if the Inspector was to conclude that the local planning authority has some issues to resolve in respect of the 5 year supply (a conclusion that we do not press on him), this is not a matter that should stand in the way of the Strategy being found 'sound'. We, therefore, continue to commend him to find the Strategy sound.

Kind Regards,

***Graham Parker***

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