

Programme Officer
South Gloucestershire Council
PO Box 2081
South Gloucestershire
BS35 9BP

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Contact: Stephen Harris
Direct dial: 01625 442786
StephenHarris@epp-planning.com

By post and e-mail to: Programme.Officer@southglos.gov.uk

Dear Sir / Madam

RE: LAND EAST OF MORTON WAY, THORNBURY, SOUTH GLOUCESTERSHIRE

Emery Planning Partnership is instructed by the Land Planning Partnership Ltd to make representations on the council's letter of 7th June 2013 and enclosures. Our client's interests relate to land immediately to the east of the land at Morton Way.

Housing requirement

We note that the housing requirement is 28,355 dwellings between 2006 and 2027. This equates to a requirement over five years of 6,750 dwellings.

Addressing the shortfall

We note that the council seeks to make up the shortfall in housing delivery created between 2006 and 2013 over the remaining 14 years of the plan period to 2027 (i.e. the 'Liverpool' method).

Our position is that the shortfall should be addressed in the first five years (i.e. the 'Sedgefield' method). This is because the NPPF introduced a requirement to "boost significantly" the supply of housing (paragraph 47). Addressing the shortfall as soon as possible is consistent with this requirement and the emerging plan is the ideal time to do this.

It is of note that the appeal decision relating to land between Iron Acton Way and North Road, Engine Common, Yate (PINS ref: APP/P0119/A/12/2186546) also considered that the 'Sedgefield' approach is:

"more closely aligned with the need to boost significantly the supply of housing and remedy the unsatisfactory consequences that arise from a persistent under delivery of housing"(paragraph 20).

It should be noted that applying the Sedgefield method, the five year requirement, including a 20% buffer would be 12,472 dwellings. Using the council's five year supply figure of 10,393 dwellings, the supply would equate to 4.16 years.

NPPF Buffer

It is noted that a 20% buffer is applied. We agree with this approach. The council has failed to deliver its annual housing requirement of 1,350 dwellings in each of the 7 monitoring years since 2006/07 and projects that it will also fail to meet this requirement in the current year (2013/14). This in our view reinforces our view that the Sedgefield method is the most appropriate way of now addressing this serious and significant shortfall.

Housing supply

We note that the council considers that its five year supply is 10,393 dwellings over the period April 2013 to March 2018. The council's supply comprises the following:

- Sites with planning permission;
- Sites awaiting the completion of a s106 agreement;
- Sites currently progressing through the development management process; and
- Windfalls.

We make the following comments.

Sites with planning permission

The BNP Paribas Real Estate (BNPPRE) report considers those sites which were the subject of detailed scrutiny during the Engine Common appeal. Notwithstanding the Appeal Inspector's conclusions regarding the delivery rates on these sites, the BNPPRE seeks to increase the delivery rates of some of the sites with planning permission. In our view these sites were scrutinised through a Section 78 appeal at the Engine Common and we consider that there is no justification for the increase of delivery from this source only a few months later.

Windfalls

We note that the council's five year supply calculation includes an allowance of 400 units on windfall sites. BNPPRE's report suggests that an average of 200 dwellings per annum have been delivered on windfall sites in the period 2006 to 2013 including school sites, petrol filling stations, small factory sites, public houses, garages and large residential properties. No further information is provided.

Consequently, it is not possible to conclude how many of these windfall deliveries were on sites that would now be contrary to policy due to the re-designation of residential gardens as greenfield land. A breakdown of the 1,400 units that are considered to be windfall developments is required.

As recognised in the BNPPRE report, paragraph 48 of the NPPF states that local planning authorities may make an allowance for windfall sites in the five year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. The only key evidence we have is that the historic windfall delivery rate is 200 dwellings which is significantly less than the 400 dwellings proposed. Over a 5 year period this equates to some 1,000 dwellings that now need to be allocated.

Conclusion

To conclude we consider that the evidence being consulted upon seeks to increase the supply from the same sources of supply that were found to not be able to demonstrate a 5 year land supply at the Engine Common appeal. By also taking account of a lower windfall allowance and applying the Sedgefield approach, there is a shortfall of at least 3,000 dwellings in the next 5 years. This leads us to the inevitable conclusion supply more sites are required and our client's site is one such site that assist in meeting the housing needs of South Gloucestershire. We refer you to our previous submissions on the site specifically.

Going forward and in light of the significance of the need for the plan to deliver a 5 year land supply we consider that an additional hearing session should now be undertaken.

Should you require any further information please do not hesitate to contact us.

Yours sincerely

EMERY PLANNING PARTNERSHIP LTD

Stephen Harris BSc (Hons) MRTPI
Director

Copy to: Client