

**SOUTH GLOUCESTERSHIRE POLICIES SITES & PLACES PLAN**  
**EXAMINATION**

**Inspector's Key Issues and Questions in bold text.**

The following Hearing Statement is made for and on behalf of the Home Builders Federation (HBF) in regard to the South Gloucestershire Policies Sites & Places Plan (PSPP). This Statement responds to selected questions set out in the Inspectors Matters & Issues document. The following answers should be read in conjunction with our representations to the PSPP pre submission consultation ended on 8<sup>th</sup> September 2016.

**ISSUE 1 : In light of the acknowledged shortfall in the Council's 5 year housing land supply when measured against the requirement in the Core Strategy, can the PSPP be 'sound' in the absence of non-strategic housing allocations?**

The PSPP cannot be sound in the absence of non-strategic housing allocations and an acknowledged shortfall in the Council's 5 YHLS measured against the housing requirement in the adopted Core Strategy.

**1a) The Council decided to alter the scope of the PSPP to exclude non-strategic housing allocations. Is there anything either in law or in policy that would prevent it doing this?**

See answer to Question 1c below.

**1b) The Council has stated that if the PSPP must make housing allocations in order to be found sound, it will withdraw it from the examination. Is there anything either in law or in policy to prevent it doing this? If not, would there be any positive consequences of the withdrawal of the plan?**

The Council may withdraw the PSPP from Examination if it wishes to do so.

For parties objecting to the introduction of certain development management policies and the designation of Local Green Spaces in the PSPP these would not be implemented until the new Local Plan was adopted. This delay may be considered a positive consequence.

**1c) With specific reference to the Oxted Residential Judgement (Doc. E1), can my assessment of whether the PSPP is sound take account of matters outside its present scope i.e. the absence of non-strategic housing allocations?**

The Oxted Residential Judgement (para 38) sets out that "*An Inspector conducting an examination must establish the true scope of the DPD he is dealing with and what it is setting out to do. Only then will he be able properly to judge whether or not within that scope and within what it has set out to do it*

*is sound. His assessment will require him to ask himself among other things whether the LPA has had regard to national policy and to any other local development document which has been adopted by the authority”.*

As indicated by the Plan’s name it is the Policies, Sites & Places Plan. Therefore there are two parts to the scope of this Plan which are site allocations and development management policies. A fundamental purpose of the PSPP is to support delivery of the existing adopted Core Strategy. The Core Strategy (para 1.6) makes specific reference to the PSPP. The Inspector’s Final Report on the Core Strategy recommended adoption on the understanding that the PSPP would review settlement boundaries and allocate sites for residential development to meet the housing requirement. The inclusion of site allocations and review of development boundaries has been integral to the scope of the PSPP throughout previous consultations.

The decision in June 2016 to remove site allocations and not review settlement boundaries falsely redefines the true scope of the Plan. It is a manipulation to remove non-strategic housing allocations outside the scope of the PSPP. This artificial redefinition has no regard for national policy or the Council’s own adopted DPD. The PSPP is the final part of a set of DPDs which comprise the Council’s Local Plan without it the Local Plan is incomplete. The PSPP including residential site allocations is the final part which is essential to ensure effective implementation of the Core Strategy.

A site allocations plan that omits housing sites in the context of a lack of 5 YHLS cannot be sound. The lack of 5 YHLS brought about by unforeseen problems with delays in delivery of strategic sites and an overly optimistic housing trajectory was first identified in the Planning Appeal Decision in favour of Gladman in June 2015. The Council acknowledged that *“An Allocations Plan, such as the PSP Plan should be consistent with National Policy, which states that the Council should be able to demonstrate a 5 year supply of deliverable housing land. Submitting a Plan without being able to demonstrate 5 year housing land supply would mean that there is some risk to it being found unsound and therefore not capable of adoption. This would cause a delay in addressing the shortfall and also bringing forward updated Development Management Policies”* (PSPP Consultation November 2015). Since then there have been no significant consents granted to improve the Council’s 5 YHLS position. The failure of the Council to pro-actively address their identified housing supply shortfall as quickly as possible conflicts with both Government policy and guidance as set out in the NPPF and NPPG and its own adopted DPD. The exclusion of housing allocations from the PSPP can only worsen the existing position for the foreseeable future.

Under the NPPF the Council should be boosting housing supply to meet identified needs. There is no evidence on whether or not sufficient housing capacity within existing settlement boundaries can meet the adopted housing requirement set out in the Core Strategy. The Council has not evidenced that it would not be possible to allocate sufficient sustainable sites to achieve its currently adopted housing requirement of 28,550 dwellings which is its minima requirement and not a ceiling on development. Without a suitable supply of identified sites the Council is vulnerable to unplanned speculative planning

applications that will undermine the principle of plan led development. Therefore housing sites should be allocated in PSPP to deal with the acknowledged shortage in housing land supply in the short term and to meet housing needs over the whole plan period.

The Council's selective attitude is contradictory in the sense that it wants to update development management policies to accord with national policy but not to allocate sites to provide 5 YHLS as set out in national policy. Any housing sites allocated in the PSPP could be carried forward into the new Local Plan in the same manner as development management policies. It is also likely that the housing requirement figure apportioned from the JSP will be higher than the currently adopted housing figure necessitating more rather than less housing site allocations in the future.

The Council states that policies in the Core Strategy refer to PSPP or Neighbourhood Plans or the review of Core Strategy / preparation of new Local Plan. However the Council has chosen to continue with its preparation of the PSPP so the PSPP is the most advanced option for resolving the existing housing land supply shortfall. The Council's housing land supply shortfall will not be resolved by Neighbourhood Plans or the West of England Joint Spatial Plan (JSP). Firstly there has been a very low uptake from Parish Councils to prepare Neighbourhood Plans. Secondly the JSP will only identify the overall spatial strategy and strategic development locations for subsequent allocation in individual Local Plans based on the agreed housing requirement for each authority. Therefore there is no confusion or conflict between the JSP and any non-strategic housing sites allocations in the PSPP.

The timetable for the adoption of the new Local Plan by 2018 after adoption of the JSP is overly optimistic. If the Council waits for adoption of the JSP before reviewing the Core Strategy and preparing a new Local Plan whilst no 5 YHLS exists there will remain a policy void as all policies in the Core Strategy and PSPP relating to the supply of housing land will be out of date in accordance with para 49 of the NPPF and the Richborough High Court Judgement. The allocation of non-strategic housing sites in the PSPP is the pro-active response to resolving the 5 YHLS rather than deferment to a later date.

The PSPP excluding site allocations is unsound because it is :-

- not positively prepared by not making sufficient provision for the delivery of identified housing needs set out in the adopted Core Strategy housing requirement ;
- not justified because the exclusion of housing site allocations from the PSPP is not the most appropriate strategy ;
- not effective by not meeting needs and delivering housing land supply ;
- not consistent with national policy in particular paragraphs 17, 21, 47 and 157.

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