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Participant Statement Examination of  
South Gloucestershire  
Policies, Sites and Places Plan:  
Issue 4

January 2017

**Participant Statement Examination  
Of South Gloucestershire  
Policies, Sites And Places Plan: Issue 4**

<b>Project Ref:</b>		
<b>Status:</b>	Draft	
<b>Issue/Rev:</b>	01	
<b>Date:</b>	13 <sup>th</sup> January 2017	
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Ref: 25366/A3/FW/RN/jmm

Date: 13<sup>th</sup> January 2017

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## 1.0 INTRODUCTION

- 1.1 This Hearing Statement is submitted on behalf of DFE Taylor Wimpey Residential Ltd, in relation to the Examination of the Policies, Sites and Places Plan (PSP) January 2017. This statement will focus specifically on Issue 4,

*“Are the policies in the PSP justified and consistent with National Policy?”*

- 1.2 South Gloucestershire is an area of key importance for both Taylor Wimpey and Deeley Freed and an area in which they make significant contribution to the local economy; with Taylor Wimpey delivering around 120 new homes in South Gloucestershire last year, with this set to increase to around 200 homes by 2018. With this level of development they also deliver significant infrastructure to the area and are keen to ensure any new policies do not ultimately jeopardise the delivery of new homes.
- 1.3 One of DFE Taylor Wimpey Residential Ltd’s strategic sites in South Gloucestershire is land at Cribbs Causeway, which is allocated in the Core Strategy for 1,000 homes and has a resolution to grant outline planning permission in line with this allocation. As such, the delivery of the site makes an important contribution to the current housing land supply. As well as Cribbs Causeway, Taylor Wimpey have future development at the site at Land East of Coldharbour Lane (LECHL), Emersons Gateway, and are keen to see the South Gloucestershire area succeed and contribute to delivering the housing required to support its growth.

## 2.0 GENERAL COMMENTS

- 2.1 We provided comments during the previous round of consultation on the Pre Submission PSP (September 2016) and the Suggested Modifications PSP (November 2016) expressing concerns about some of the proposed PSP policies and their potential impact on the delivery of sites. Although we note some positive modifications to the PSP Policies in the Suggested Modifications PSP, we remain of the view that, as currently drafted, the PSP **is not sound** because it has not been positively prepared. The Council does not have a five year supply of housing and it is not using the opportunity in its PSP to allocate sufficient land for housing to meet its objectively assessed housing requirement, in line with the NPPF and NPPG.

### **3.0 RESPONSE TO ISSUE 4 – “ARE THE POLICIES IN THE PSP JUSTIFIED AND CONSISTENT WITH NATIONAL POLICY?”**

3.1 We have reviewed the draft development management policies and we have some concerns about the potential impact of the proposed policies on the deliverability of new homes at Cribbs Causeway. Given the five year housing land supply shortfall in South Gloucestershire and the important role the site at Cribbs Causeway plays in the delivery of the Councils housing land supply, it is essential that policies are not introduced which could impact on the delivery of housing, and we provide specific comments on these below.

#### **Policy PSP6 – Onsite Renewable & Low Carbon Energy**

3.2 We consider that PSP6 is unsound as it is not deliverable or evidence based in terms of its impact on viability, and must be based on robust viability testing. In addition, including a renewable policy is duplicating regulations already contained in Building Regulations.

3.3 Policy PSP6 requires major development to reduce carbon dioxide emissions by 20%. It is considered inappropriate for the Council to adopt a renewable policy requirement of 20% as a planning requirement when the issues are clearly to be controlled through Building Regulations. In addition, any such policy requirement will need to be subject to viability assessment by the Council in accordance with paragraph 173 of the NPPF as it is considered that such a requirement could have implications for development viability.

3.4 Furthermore, the policy is not implementable because it is not clear what the reduction of 20% is to be measured against. If is to be measured against current building regulation it should be noted that the Government did not intend for it to be implemented with immediate effect which is what South Gloucestershire is effectively trying to do.

3.5 Policy PSP6 should be amended to require a reduction of carbon dioxide emissions from residual energy use in buildings by 10% on current Part L building regulations, providing this is practical and viable.

3.6 The policy should allow developers to select the most appropriate way to achieve the aims set out. Instead, Policy PSP6 is currently written in such a way that it requires developers to provide renewable/or low carbon energy on or near the site first, whereas we consider that it would be more likely that the policy target can be achieved through the integration of passive design and energy efficient measures before resorting to renewable and / or

low carbon energy generation. We therefore consider that this part of the proposed policy should be reordered or reworded in order to be found sound.

### **Policy PSP16 – Parking Standards**

- 3.7 It is not clear if Policy PSP16 is in line with national policy contained within the Written Ministerial Statement dated 25<sup>th</sup> March 2015, which stated that:

***“The imposition of maximum parking standards under the last Administration lead to blocked and congested streets and pavement parking. Arbitrarily restricting new off-street parking spaces does not reduce car use, it just leads to parking misery. It is for this reason that the Government abolished national maximum parking standards in 2011. The market is best placed to decide if additional parking spaces should be provided”***

- 3.8 The Statement was clear that national planning policy was being amended to further support the provision of car parking spaces. Parking standards are covered in paragraph 39 of the NPPF and the following text will be added to read alongside that paragraph:

**“Local Planning authorities should only impose local parking standards for residential and non-residential development where there is clear and compelling justification that it is necessary to manage their local road network.”**

- 3.9 PPS16 does not include any evidence to suggest that the local parking standards proposed in the PSP are based on compelling justification that it is necessary to manage the local road network, and is therefore not consistent with local planning policy.
- 3.10 In terms of cycle parking standards, Policy PSP16 sets out that cycle parking must be supported by “appropriate and reasonable infrastructure”, but it does specify what this is. In order to comply with the NPPF, a clear indication of how a decision maker should react to a development proposal should be included in the plan (Paragraph 154, NPPF). In order for this policy to be effective and therefore sound, it needs to be amended to clarify what constitutes appropriate and reasonable cycle parking infrastructure.

### **Policy PSP31 – Town Centre Uses**

- 3.11 Policy PSP31 sets out floorspace thresholds for different retail uses across the authority. These policy requirements must be based on up to date and robust retail evidence, as retail provision and demand is continuously evolving and driven by the market and

economy. If this approach is not taken the policy will fail to be positively prepared and is therefore not sound.

### **Policy PSP37 – Internal Space and Accessibility Standards for Dwellings**

3.12 Policy PSP37 proposes to introduce the Nationally Described Space Standard and the higher optional M4(2) adaptable and accessible standard for all dwellings, as well as 8% M4(3) wheelchair adapted homes for affordable housing.

3.13 This approach appears to be in conflict with national policy contained in the Written Ministerial Statement dated 25<sup>th</sup> March 2015 which states that:

***“the optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need, and where their impact on viability has been considered, in accordance with the NPPG”.***

3.14 If the Council wishes to adopt the higher technical standards, they will need to do so in accordance with NPPG, which states that:

***“There is a wide range of published official statistics and factors which local planning authorities can consider and take into account, including:***

- ***the likely future need for housing for older and disabled people (including wheelchair user dwellings).***
- ***size, location, type and quality of dwellings needed to meet specifically evidenced needs (for example retirement homes, sheltered homes or care homes).***
- ***the accessibility and adaptability of existing housing stock.***
- ***how needs vary across different housing tenures.***
- ***the overall impact on viability.”***

3.15 The Council’s justification set out in the evidence paper is generic and therefore not specific to South Gloucestershire. As the Government have not made the Nationally Described Standards and the Higher Optional Standards for Adaptable/Accessible Dwellings mandatory, it is within South Gloucestershire Council’s control to suitably justify the adoption of these standards by providing local assessments which highlight the need.

3.16 The viability data used by the Council in drawing up this policy is from April 2015, and will need to be updated to support this proposed policy. The residual land value model is highly sensitive to input change. As such, adjustments however slight, can have a

significant impact on viability. The Council have concluded that an increase in accommodation size increases costs and makes housing less affordable therefore has excluded custom builds from the space standards criteria (see Paragraph 8.48, Policy PSP42 of the Suggested Modifications PSP, November 2016). Given that the Council does not have a five year housing land supply, it would seem inappropriate to introduce these optional higher standards, which could impact on housing delivery, particularly without any robust justification for doing so.

- 3.17 On the basis of the above, we consider that PSP37 is not accordance with national policy, or positively prepared, and is therefore unsound.

### **Policy PSP42 – Custom Build Dwellings**

- 3.18 Policy PSP42 sets out that at major development (10+ dwellings) custom build housing will be encouraged, and on sites where 100+ dwellings are proposed at least 5% of homes will be required to be serviced plots and/or shell homes. Where this is not viable developers will be required to investigate self-build as an alternative to housing provision.
- 3.19 This proposed policy has the potential to have a significant impact on housing deliverability and viability. Given the deliverability and viability issues related to custom build housing, the Policy should allow for Custom Build sites in addition to main stream housing sites as a way to boost housing supply. If the Policy were to remain in the current form, providing 5% of the total dwellings on sites of over 100 dwellings as serviced plots for sale to custom builders, this will affect the development value of a site and therefore could affect site viability. To ensure consistency with national policy, this needs to be reflected in the policy.
- 3.20 NPPG is clear that Local planning authorities should use the custom build demand data from the registers in their area, supported as necessary by additional data from secondary sources (as outlined in the Housing and economic development needs guidance), when preparing their Strategic Housing Market Assessment to understand and consider future need for this type of housing in their area. Plan-makers will need to make reasonable assumptions using the data on their register to avoid double-counting households. No evidence of significant demand for self/custom build sites within South Gloucestershire has been published to support this policy requirement therefore the Council are potentially setting themselves up for unnecessary delay in the delivery of these homes. Furthermore, there is no assessment to demonstrate whether this requirement should be applied as a

blanket requirement across South Gloucestershire or tailored to specific areas where demand exists.

- 3.21 PSP42 is not justified, positively prepared or in line with national policy, and is therefore unsound.

### **Policy PSP43 – Private Amenity Space Standards**

- 3.22 The inclusion of additional local technical standards relating to internal or performance of new dwellings is not consistent with national policy and conflicts with The Deregulation Act 2015, which prescribes against local authorities introducing such standards in their local plans. According to The Deregulation Act 2015, the only technical standards that can be incorporated into local plans are the nationally described space standard. As such Policy PSP43 is inconsistent with national policy and therefore unsound.

## 4.0 CONCLUSION

- 4.1 In conclusion, we consider that the PSP in its current form is unsound. In terms of approach, it fails to allocate sites or address the five year housing land supply shortfall which fails to meet the objectives of the Core Strategy and national planning policy contained in the NPPF and NPPG requiring local authorities to establish and deliver objectively assessed housing need.
- 4.2 We have further concerns about the proposed development management policies in the draft PSP, some of which conflict with national policy, particularly the Written Ministerial Statement, and many of which will hamper the delivery of housing in the authority rendering the plan undeliverable and not justified.
- 4.3 Within the context of a housing supply shortfall in South Gloucestershire it is not appropriate to be introducing onerous development management policies, which are in conflict with recent national planning policy which aim to assist with the delivery of housing and simplify the planning process. South Gloucestershire Council will need to seriously consider the implications of the proposed policies, particularly the impact on the delivery of strategic allocations such as land at Cribbs Causeway which are crucial to the delivery of the Council's housing supply position.
- 4.4 In order to avoid the potential impact on the delivery of strategic housing sites, we would suggest that once adopted the development management policies should only be applied to sites which do not already benefit from outline planning permission, as these have already been assess against the relevant planning policy context at the time. Otherwise the new policies could be in conflict with the design principles of the approved outline planning permission and would require amendments which would have significant implications for delivery. Applying the new development management policies to reserved matters submissions could have implications for Council resources as developers submit every possible reserved matters application before the cut-off date to avoid the new standards. To introduce new standards to a site which already has an outline consent will not be commercially acceptable – because land value assessments would have been based on the density parameters within the outline. This is likely to lead to a requirement for viability arguments to be pursued on specific reserved matters phases, inevitably delaying delivery of new homes.

- 4.5 To summarise, the development management policies need to be reviewed to consider their conflict with national policy which seeks to streamline the planning process and boost housing delivery, and their impact on the delivery of strategic sites in the authority.

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