

STATEMENT FOR DAY 2 – Wednesday 31 October 2012

By Boyer Planning on behalf of Linden Homes Strategic Land

Questions (iii) and (iv)

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Housing – General – Questions (iii) and (iv)

We have prepared two statements for this session. This second statement responds to questions iii) and iv) and sets out action to address the issues we have identified in the first Statement on Questions (i) and (ii).

- iii) Will the intended management of new housing delivery prove adequate to ensure that the strategic aims of the JCS are met. If not, what else needs to be done and why?**
- iv) Should the JCS address contingencies/alternatives, including in relation to the strategic allocations, in the event that completions do not come forward as expected?**

1 Action to Ensure New Housing Delivery

We do not consider that the management of new housing delivery will prove adequate to meet the strategic aims of the JCS.

This is because, as set out in our response to questions i) and ii), there are fundamental weaknesses in the quantity, make-up and deliverability of the Plan's housing land supply, particularly in the Winchester Spatial Area, which lead to significant shortfalls that require corrective action that goes beyond management of delivery.

We consider that it is fundamentally important to provide greater choice and certainty in the identified supply. This need is particularly acute in the Winchester Spatial Area (as detailed in our response to questions i) and ii)).

We consider that this need can only be met by the identification of a further urban extension site to ensure growth will happen and at the required rate. This additional urban extension should be non-strategic in scale and should provide for at least 500 dwellings.

We consider that a key role of the Part 1 Plan is to set a framework for Part 2 and that this must include a commitment to an additional urban extension within the Winchester Spatial Area and require this to be identified through the Part 2 process.

This should be clearly set out in paragraph 3.13 of the Plan (the purpose of which is to set out the housing requirement and how it is to be met within the Winchester Spatial Area). The principle of an additional site should be included within a tabulation of sources of housing supply within paragraph 3.13.

Alternatively, the Plan could make provision for a reserve site that could be brought forward as a contingency should housing provision fall below specified levels that could act as trigger points for its release.

2 Criteria for Additional Site / Reserve Site

We would suggest that criteria for the identification of the additional / reserve site be set out in the Plan based on the requirements for sustainable development, including:

- Proximity and linkage to the Winchester urban area
- Effective containment within the landscape and protection of Winchester's setting and character (with screening from long and medium distance views from surrounding countryside)
- The absence of significant physical or environmental constraints
- Potential to augment and form part of a green infrastructure framework
- Potential to bring about ecological enhancement and improved access to the countryside
- Ease of connection and proximity to existing community facilities within 2 km of the site
- Accessibility by walking and cycling to the town centre and railway station
- Proximity to existing public transport services

We have promoted Land South and West of Kiln Lane Winchester for allocation in the Plan and believe this could satisfy such criteria for an additional allocation to be brought forward through the Local Plan Part 2 or for a reserve site allocation.

The attributes of the site are as follows:

- The site adjoins the now consented Pitt Manor reserve site and will therefore be adjacent to the Winchester urban area
- It has been promoted during each of the preceding stages of the Core Strategy
- It was one of four potential strategic sites assessed by the Council prior to the Core Strategy preferred option consultation
- South West Winchester was considered the second best option in the comparative matrix of sites within the Sustainability Appraisal
- This Appraisal was based on the provision of 2,000 dwellings but the site capacity is now assessed as about 750 dwellings and it could therefore be defined as an additional or reserve allocation that would be complimentary to Barton Farm rather than an alternative to it.

- Located adjoining a high-frequency bus route and has potential to accommodate a park and ride facility.

We consider that this site could achieve first completions by 2014/15 and deliver up to 200 dwellings within the period up to 2016/17.

3 Triggers for Site Release

If additional housing provision within the Winchester Spatial Area is to be made available in the form of a Reserve Site, the Plan should set out triggers for its release

We consider specific triggers could be based on:

- Failure to achieve a 5-year land supply in the 2013/14 period.
- Failure to achieve a level of completions in 2014/15 that matches or exceeds the per annum requirement for the Plan period as currently anticipated in the housing trajectory.
- Failure of the Strategic sites to provide a specified proportion of land supply by a certain year within the Plan period

In the case of the Winchester town Spatial Area, we would suggest that failure to achieve first completions at Barton Farm by 2014/15 (as anticipated by the housing trajectory for the site) should lead to the release of an additional site or sites.

It is best that the decision to release additional sites is taken in the context of the Plan. In that sense, the Plan will be able to anticipate and control release according to certain specified criteria which define a sustainable form of development in the local context.

4 Monitoring of Housing Delivery

We consider that the framework for the management of new housing delivery is not adequate to ensure the aims of the Plan are met. Effective management is dependent upon sound monitoring and there are a number of deficiencies in the existing monitoring arrangements which are considered below.

The Council has created three spatial areas to which specific policies apply but has no monitoring framework for the assessment of housing land delivery within these areas.

Most of the information on land supply (as set out within the Annual Monitoring Report and Background Papers) deals only with the District as a whole and the division between the PUSH and non PUSH areas (reflecting the distinction between areas within and outside the South Hampshire Sub Regional Area in the South East Plan).

More specifically, the monitoring framework for the Spatial Areas lacks:

- Housing and affordable housing trajectories that would allow judgements to be made about the performance of policy within these areas. The Council's overall housing trajectory provides no information about the performance of housing policy in the Spatial Areas
- Information on completions within these areas.
- A process to review the contribution of SHLAA sites. It is notable that Supplement B to Background Paper 1 only provides an update for SHLAA sites at the District level
- Information to establish whether windfalls are making a contribution to land supply within the spatial areas or whether such sites will continue to become available. There is at present no compelling evidence that would allow windfalls to be included in land supply within the Spatial Areas to meet the requirement set out in paragraph 48 of the NPPF.

The Council's monitoring framework, including the Annual Monitoring Report (AMR) does not therefore meet the requirements set out in paragraph 8.2 of the Plan in relation to its Spatial Areas i.e. a *"mechanism of ensuring that outcomes match and deliver objectives"* or *"a systematic and robust means of identifying if certain matters are failing to deliver and to take alternative action if required"*. The Plan is therefore not *"effective"* as defined by para 182 of the NPPF and is therefore unsound in these terms.

5 Management of Housing Delivery

Paragraph 8.5 of the Plan refers to monitoring the housing trajectory to ensure an adequate supply of housing District-wide. As a statement of remedial measures to address delay in housing provision this has several weaknesses, namely:

- *"Assessing reasons for delay and investigating measures to overcome constraints"* does not constitute sufficient positive and direct action to increase housing supply
- The suggestion: *"it may be that other sources of supply will offset the delay and enable adequate housing provision to be maintained or that there is expected to be an adequate District wide supply despite delays on a particular site"* suggests a self-correcting mechanism and tends to deny the need for positive action by the authority
- The statement *"it may be necessary to bring forward additional sites for housing purposes in accordance with the development strategy established in this Plan through the production of Local Plan Part 2 or subsequent reviews"* suggests that the Plan does not have sufficient flexibility to respond to shortfalls and would have to be reviewed to address the issue.

Paragraph 8.2 of the Plan also refers to initiating a review of the Plan *“if certain matters are failing to deliver”*

Paragraph 8.3 again refers to a review of the Plan *“either to roll it forward beyond its current end-date, to deal with any serious shortfalls or unintended consequences identified through monitoring, or if it becomes inconsistent with national policy”*.

We consider that initiating a review of the Plan is not a sufficient response to shortfalls in housing provision and delivery and would not be effective against the requirements of the NPPF.

Paragraph 14 of the NPPF defines the application of the Presumption in Favour of Sustainable Development and states for plan making this means *“Local Plans should meet objectively assessed needs with sufficient flexibility to adapt to rapid change”*. For decision taking this means *“where the development plan is absent, silent or relevant policies are out-of-date, granting permission”*. Both principles apply unless adverse impacts would outweigh the benefits or specific policies in the Framework would indicate development should be restricted.

Paragraph 49 of the NPPF makes clear that policies for the supply of housing will not be considered up to date if the local planning authority cannot demonstrate a five year supply of housing.

If it becomes clear that a plan is failing to address needs, lacks the flexibility to adapt to change or does not provide the Council with a five-year land supply, it becomes irrelevant and out of date. It will also be inconsistent with national policy as set out in the NPPF. Under these circumstances the presumption in favour of sustainable development as set out in para 14 of the NPPF should apply.

We therefore consider that the Plan must contain more effective remedial measures, contingencies and alternatives so that a possible need to release additional sites is anticipated and a decision on this can be taken in the context of the plan. The Plan will otherwise be unsound against the tests of effectiveness and consistency with national policy.

6 Conclusions

We consider that measures to improve the Management of new housing delivery or to specify contingencies /corrective action, will not be sufficient to address fundamental shortcomings in the quantity, make-up and deliverability of the Plan's housing land supply, particularly in the Winchester Spatial Area.

The Part 1 Plan must, in our view, provide the basis for the identification of an additional urban extension within the Winchester Spatial Area through the Local Plan Part 2 process.

We consider that a key role of the Part 1 Plan is to set a framework for Part 2 and that a commitment to an additional urban extension within the Winchester Spatial Area is an essential part of that framework.

Alternatively, the Plan could make provision for a reserve site to be released according to certain trigger points in the annual monitoring of the District-wide and strategic site housing trajectories.

The Plan's intended management of new housing delivery gives very little acknowledgement of the possibility of a shortfall and does not contain an effective means of addressing it should it arise. The Plan is particularly weak in providing an effective monitoring framework for each of its Spatial Areas. The Plan is not therefore "*effective*" in these terms and is not consistent with the requirements of the NPPF. These issues must therefore be addressed if the Plan is to be found sound.

The Plan relies on an unspecified review programme to correct any shortfalls in housing delivery. This would be very slow to implement and demonstrates that the Plan, as it stands, lacks the flexibility to respond to rapid change required by the NPPF. Any shortfall in housing delivery or 5-year land supply is likely to render the Plan out of date and subject to the presumption in favour of sustainable development in decisions on development proposals.

Boyer Planning

12 October 2012