

34

ryan king

From: Gavin Winter [Gavin.Winter@spawforths.co.uk]
Sent: 15 February 2012 15:20
To: ldf
Subject: Representations to the Proposed Changes to the Submission Draft Core Strategy
Attachments: P0-TP-SPA-RP-P3540-0028-A.pdf

Dear Sir / Madam,

Please find attached our representations relating to the Proposed Changes to the Submission Draft Core Strategy. We would be grateful if you could confirm receipt of these representations.

Kind regards

GAVIN WINTER
Principal Planner
BA (Hons), MA, MRTPI

Junction 41 Business Court, East Ardsley, Leeds, WF3 2AB

Main: 01924 873873 Fax: 01924 870777
Direct: - Email: Gavin.Winter@spawforths.co.uk
Mobile: - Web: www.spawforths.co.uk

| |
|--|
| <input checked="" type="checkbox"/> Description: C:\Users\gwinter\AppData\Roaming\Microsoft\Signatures\2012-02-Planning-Con |
|--|

This electronic transmission is strictly confidential and intended solely for the addressee. It may contain information that is covered by legal, professional or other privilege. If you are not the intended addressee, you must not disclose, copy or take any action in reliance of this transmission. If you have received this transmission in error, please notify us as soon as possible. This e-mail does not necessarily represent the views of Spawforths.
VAT No: 511314405 Company Reg No: 2247289

16/02/2012

Selby Core Strategy: Proposed Changes to the Submission Draft Core Strategy

Introduction

1. The Examination in Public (EiP) into the Submission Draft Core Strategy (SDCS, May 2011), which ran from 20 - 30 September 2011 was suspended to allow the Council to address the following three topics, as set out in the Inspector's Ruling on the Council's request for suspension of the Examination:
 - i. The overall scale of housing development over the plan period;
 - ii. The scale of housing and employment development proposed for Tadcaster and the implications for the Green Belt;
 - iii. The strategic approach to Green Belt releases.
2. A Fifth Set of Changes to the Submitted version of the Core Strategy has now been published prior to recommencement of the EiP in April 2012. The proposed changes document is intended to correct anomalies, ensure consistency and provide clarification on points that arose during the EiP and to volunteer policy changes to address the three topics set out in the Inspector's Ruling on the Council's request for suspension of the Examination and achieve a sound Core Strategy.
3. These representations have been prepared on behalf of BOCM PAULS Ltd in response to Selby DC's Proposed Fifth Set of Further Proposed Changes and Editorial Changes and Minor Amendments to the Submission Draft Core Strategy and the supporting evidence base including the Arup Scale and Distribution Housing Paper (30 Nov); New Background Paper 14 Scale and Distribution of Housing; Addendum to Background Paper 3 Housing Distribution Options; Annual Monitoring Report 2011; 5 Year Housing Land Supply Supporting Paper and the Strategic Housing Land Availability Assessment 2011.

Selby Core Strategy: Proposed Changes to the Submission Draft Core Strategy

BOCM PAULS Ltd
c/o Spawforths

4. There is an urgent and pressing need for new housing to be delivered in England. In 2010 England saw the lowest peacetime house building rate since 1923 – just 103,000 completions. Official projections from the Department for Communities and Local Government show the need to build at least 232,000 homes in England per year to meet the anticipated growth in the number of households (DCLG Household projections 1971 - 2033). The HBF 'Building a Recovery' report (December 2010) suggested that the Yorkshire and Humber region would have to achieve a more than threefold increase (338%) in the rate of house building to meet Government projections on housing need.
5. Each home built creates 1.5 direct full-time jobs and many more in the supply chain (HBF NPPF Fact Sheet: September 2011). Estimates suggest that each house constructed leads to up to four extra jobs in the wider economy (HBF Building a Recovery: December 2010). Hence, a commitment to build 500 new homes per annum in Selby District throughout the plan period would create 750 direct jobs and up to four times more (3,000) jobs in the supply chain.
6. These representations deal specifically with the changes to the revised version of the Submission Core Strategy in the context of topic i. 'the overall scale of housing development over the plan period' set out in the Inspector's Ruling on the Council's request for suspension of the Examination.

Policy CP2 The Scale and Distribution of Housing

Extension of the Plan Period

7. BOCM PAULS Ltd supports the principal of the proposal to extend the plan period to deliver the vision, aims and objectives of the District Strategy. However, we contend that the plan period should be extended to 2028 rather than 2027, given that the Allocations DPD is only at preferred options stage and is unlikely to be adopted until 2013.
8. Paragraph 34 of PPS3 requires local planning authorities to plan for housing over a period of at least 15 years. Since the process of concluding on the deliverability of suitable sites will not be complete until adoption of the Site Allocations DPD, the plan period should ensure that the Core Strategy will endure for at least 15 years after adoption of the Allocations DPD adoption, which is unlikely to be until 2013. Thus the proposed plan period up to 2027 would not satisfy the aforementioned requirement since the Allocations DPD would only have a 14 year rather than a 15 year period to facilitate delivery of allocated housing sites to meet the District's housing land requirement. We

Selby Core Strategy: Proposed Changes to the Submission Draft Core Strategy

BOCM PAULS Ltd
c/o Spawforths

believe that the plan period should be extended to 2028 to ensure both compliance with national planning policy and that the plan is sound.

Suggested Change to Policy CP2

9. *BOCM PAULS suggest that the plan period identified in criterion A of Policy CP2 be extended to March 2028 to ensure that the Core Strategy will endure for at least 15 years following adoption of the Allocations DPD.*

Annual Housing Target

10. BOCM PAULS Ltd do not consider the revised annual housing target of 450 dwellings per annum (dpa) over the plan period is sufficient to meet the future scale of growth required and is not based on the most up-to-date evidence base.
11. The Inspector was very clear at the EiP that he considered there to be a strong body of evidence to support a level of housing need and provision significantly above the RSS target of 440 dwellings per annum identified in the Submission Draft Core Strategy (SDCS). The Inspector stated that if the Council intended to rely on a housing requirement significantly below one derived from the latest evidence, it will need to provide cogent justification for so doing, or face the significant risk that the Inspector will find the Core Strategy unsound.
12. The Inspector highlighted that significant national policy changes, such as, for example the National Planning Policy Framework (NPPF) or changes to the local evidence base; like the North Yorkshire Strategic Housing Market Assessment might provide up-to-date evidence which should have a bearing on the overall scale of housing provision.
13. In recommending the 450 dpa, the Council state that this is based on the recent evidence on economic and migration trends and forecasts, the housing market, and housing completions. 'Background Paper No.14 Housing Scale and Distribution' states that it is not as straight forward as just choosing the latest figures and more analysis has been undertaken by Arup Consultants to consider the level of population and household growth, that should form the basis of future housing provision in Selby District area and determine which is the most up-to-date evidence base. The Council has set aside the Government's most recent household projections from 2008 and the net 710 additional dwellings per annum outlined in the Selby SHMA, stating that the reliability of the

Selby Core Strategy: Proposed Changes to the Submission Draft Core Strategy

BOCM PAULS Ltd
c/o Spawforths

various date-based population and household projections in predicting the best growth scenarios for the District is questionable.

14. This approach runs counter to advice in paragraph 33 of PPS3 which states that when assessing an appropriate level of housing provision Local Planning Authorities should take into account evidence of current and future levels of need and demand for housing and affordability levels based upon, amongst other factors, Strategic Housing Market assessments and the Government's latest published household projections and the needs of the regional economy, having regard to economic growth forecasts.
15. However, the Council's approach to the Selby SHMA is selective as illustrated by paragraph 5.17 of the revised version of the Submission Draft Core Strategy, which confirms that the proportion of development allocated to Sherburn in Elmet and the Tadcaster area corresponds with that identified through the 2009 Selby SHMA. Nonetheless, the Council's 'Background Paper No.14 Housing Scale and Distribution' states that there is no credible evidence to use the Selby SHMA as a basis for calculating annual net additional dwellings over the plan period.
16. The Council argue that the housing requirement figure must also be deliverable; therefore they have also given consideration to other factors including the impact of the recession and public sector cuts on the outlook to 2026, since the Inspector was clear that proposals must be deliverable to be considered sound.
17. Nonetheless, the most recent (2008-based) CLG household figures suggest a significant and noticeable acceleration in household projections rather than a slowdown. The Ministerial Statement: Planning for Growth (23 March 2011) commends local planning authorities to make every effort to identify and meet the housing, business and other development needs of their areas.
18. In these circumstances, BOCM PAULS Ltd consider that the most up-to-date evidence base available is Scenario I of the North Yorkshire Strategic Housing Market Assessment (SHMA), which was completed as recently as November 2011 and triangulates a range of data sources to construct three scenarios of likely change. Scenario I is the most appropriate of these scenarios since it factors in the most recent (2008-based) CLG household projections and targets an annual housing target of 519 dwellings. This proposed annual target closely reflects the most recent projections and adopts an approach which sits between the Council's 450 dpa (based on 2004 rather than 2008 household projections) and the Selby SHMA, which advocates 710 dpa.

Selby Core Strategy: Proposed Changes to the Submission Draft Core Strategy

BOCM PAULS Ltd
c/o Spawforth's

In this context, BOCM PAULS Ltd considers Policy CP2, as currently expressed, to be unsound. In order to achieve soundness and the Council should increase the overall housing requirement to more closely reflect recent household projections.

19. The combined impact of extending the plan period (up to March 2028) and committing to an annual target of 519 dpa would be a target (519 dpa x 17 years) of 8,823 dwellings within the plan period. Assuming that Selby would continue to accommodate 51% of the overall supply that would result in a requirement of 4,500 dwellings to be provided within Selby by March 2028. Taking account of the maximum contribution that might be derived from existing planning permissions (1,150 dwellings), that would increase the number of new allocations required to achieve that objective from the Council's present figure of 2,500 to at least 3,350 dwellings. Hence, until March 2028 a minimum 197 homes, to be derived from Olympia Park and new allocations in Selby, would need to be delivered each year throughout the plan period.

Suggested Change to Policy CP2

20. BOCM PAULS recommend that criterion A of Policy CP2 be altered to read, 'Provision will be made for the delivery of 519 dwellings per annum and associated infrastructure in the period up to March 2028' to accord with the projected housing need outlined in Scenario 1 of the North Yorkshire SHMA (November 2011). The remainder of the Policy should also be altered to reflect the target of 8,823 dwellings between 2011 and 2028 and the resultant implications explained in the preceding paragraph.

Phased Delivery

21. BOCM PAULS also object to the Council's proposal to phase the delivery of housing through the plan period with a lower level of housing delivery (400 dpa) in the first five years of the plan, compensated for by stepped increases in the delivery of new housing later in the plan period. Thus the proposed rate of housing delivery in the first five years of the plan period is significantly lower than both the Council's revised annual housing target is 450 dpa and the figure of 519 dpa that BOCM PAULS contend should be adopted throughout the plan period.
22. The Council's phased approach to delivery patently fails to address the identified housing need when it is required. It also avoids addressing the existing under supply of housing identified in the recent AMR 2011 between 2008 and 2011. Notwithstanding difficult economic circumstances, it is inappropriate to put off provision on such grounds. Current housing needs should be met now

Selby Core Strategy: Proposed Changes to the Submission Draft Core Strategy

BOCM PAULS Ltd
c/o Spawforths

rather than being delayed. Councils have a duty to plan for and facilitate delivery of housing sites. The Council's proposal to constrain the delivery of housing in the first five years of the plan period fails to address the District's housing needs rather than ensuring the delivery of homes to address current and future requirements. The backlog and shortfall should be addressed sooner rather than later.

Suggested Changes to Policy CP2

23. *BOCM PAULS Ltd suggest that the Council should remove its proposal for phased delivery of housing from criterion A of Policy CP2 and should instead commit to an annual target of 519 dwellings throughout the plan period, i.e. up to March 2028.*
24. *BOCM PAULS Ltd also recommend that Policy CP2 should be amended to confirm that a residual approach will be taken when calculating the Council's Five Year Land Supply throughout the plan period, such that it includes a commitment to the annual target and also makes provision to address historic shortfalls in the supply of housing that have occurred from 2008 to date as identified in Annual Monitoring Reports.*

Policy CP2A Olympia Park Strategic Development Site

25. We broadly concur with the minor amendments to the text in Policy CP2A, including specific references to the Potter Group and the use of a Travel Plan. However, we contest the conclusion outlined in paragraph 5.41, which suggests that existing commitments, together with Phase 2 sites identified in the Allocations DPD, will be more than adequate to provide land for the first five years of the strategy. The text goes on to suggest that whilst the proposed Olympia Park Strategic Development Site has the potential to progress to early implementation of Phase 1 which will continue to contribute significantly over the second five years.
26. Instead BOCM PAULS Ltd considers that the Olympia Park strategic development site is a vital component that will be required to contribute towards the Council's five year housing land supply. The trajectory attached at Appendix I, which is consistent with the evidence we provided at the EIP hearing session on Olympia Park in September 2011, shows that following determination of the hybrid planning application in 2012 and planned delivery of required strategic infrastructure works in 2013, the site can deliver 40 dwellings in the third and fourth quarters of 2014 and 80 dwellings per annum in 2015 and thereafter. Indeed, the Olympia Park strategic development site is a vital

Selby Core Strategy: Proposed Changes to the Submission Draft Core Strategy

BOCM PAULS Ltd
c/o Spawforths

and integral component of the Core Strategy that is required to deliver housing and employment development throughout the plan period.

27. Given the Olympia Park site's status as the sole strategic development site in the Draft revised Submission Core Strategy, its contribution should be acknowledged in the Council's five year land supply. The Council's commitment to identify the site in the Core Strategy and Delivery Framework document provides a robust evidence base to justify that the site will deliver housing within the first five years of the plan period since it is available, suitable and achievable.

Suggested Change to Policy Paragraph 5.41

28. *BOCM PAULS recommend that the Council should amend paragraph 5.41 and confirm the inclusion of the Olympia Park site in the Council's five year housing land supply.*

Policy CP3 Managing Housing Land Supply

29. The revised Policy CP3 seeks to ensure that the provision of housing is broadly in line with the annual housing target and distribution under Policy CP2. On the grounds that this is based on 450 dpa, we object to the Policy CP3 since this housing target will not be sufficient to meet the District's current and future housing needs and it is not based on the most up-to-date evidence base.
30. BOCM PAULS Ltd recognise that this policy has now been revised and informed by an updated five year housing land supply target, with calculations based on the recently updated SHLAA and the SDLP Phase 2 site releases, which concludes that the Council now has a 6.29 year housing supply. Nevertheless, BOCM PAULS Ltd considers this policy to be unsound since it is based on an annual target of 450 dpa and the five year housing land supply Supporting Paper (December 2011), which instead refers to the Policy H1 of the SDLP and a target of 440 dpa.
31. PPS3 indicates that sites included in the supply period should be deliverable by being available, suitable and achievable. Given the Council's commitment to allocate Olympia Park as a strategic development site in the Core Strategy, BOCM PAULS Ltd consider that there is a robust evidence base to justify that this site is deliverable and available, suitable and achievable and thus can contribute to the Council's five year housing land supply. The trajectory attached at Appendix 1

Selby Core Strategy: Proposed Changes to the Submission Draft Core Strategy

BOCM PAULS Ltd
c/o Spawforths

shows that following the grant of planning permission and strategic infrastructure works the site can deliver 40 dwellings in 2014 and 80 dwellings in 2015 and in each year thereafter.

32. In summary, the Council's approach to the calculation of its five year housing land supply is unsound and is not consistent with national planning policy in paragraphs 53 and 60 of Planning Policy Statement 3 and in paragraph 109 of the Draft National Planning Policy Framework. PPS3 commends local planning authorities to, "identify and maintain a rolling supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements" and suggests inclusion of "an additional allowance of at least 20 per cent to ensure choice and completion in the market or land."
33. Policy CP3 also states that in advance of the Site Allocations DPD being adopted, those allocated sites identified in saved Policy H2 of the Selby District Local Plan will be used to contribute to housing land supply, if housing targets are not met. However, BOCM PAULS Ltd maintains that not all Phase 2 sites identified are available, suitable and achievable; therefore they cannot all provide land for the first five years if targets are not met.
34. Sites should only be placed in the five year housing land supply if they have been assessed in terms of their availability and achievability within the five year period, taking into consideration constraints, landowner intentions and the current economic climate.
35. The Council has already confirmed that the Cross Hills Lane (SEL/1) site with a yield of 450 + dwellings could not be confirmed as a strategic development site in Draft Submission Core Strategy, due to the absence of evidence to confirm viability and deliverability of the site. If the Council do not meet their housing target in advance of the adoption of the Allocations DPD, this site should not be identified in the five year housing land supply, as this cannot be delivered any earlier than the Olympia Park strategic development site, which does not currently form part of the five year housing land supply.
36. We have reviewed the five year housing land supply using a number of scenarios to demonstrate the level of under/over supply over five years, including additional allowance of 20% above five years as required by the Draft NPPF, based on the revised SDCS target of 450 dpa, the target of 519 dpa based on Scenario 1 of the North Yorkshire SHMA and the target of 611 dpa based on Scenario 1 plus the historic undersupply of housing from the last three years (2008-2011), identified in the AMR 2011.

Selby Core Strategy: Proposed Changes to the Submission Draft Core Strategy

BOCM PAULS Ltd
c/o Spawforths

37. Table to Show Five Housing Land Supply Scenarios including Draft NPPF Additional Allowance of 20%

| Housing delivery target per annum | Total plots available (Selby DC) | Five Year Land Supply | Five Year Land Supply plus Draft NPPF additional allowance of 20% |
|--|---|---|---|
| Selby DC's revised annual target of 450 dwellings per annum | 2,770 plots available for development (Inc. deliverable SDLP Phase 2 sites) | 6.15 year supply (104 dwellings per annum <u>above</u> the requirement) | 12 dwellings per annum <u>over</u> the requirement |
| Scenario 1 of the North Yorkshire SHMA – revised annual target of 519 dwellings per annum | 2,770 plots available for development (Inc. deliverable SDLP Phase 2 sites) | 5.3 year supply (35 dwellings per annum <u>above</u> the annual requirement) | Not Achieved |
| Scenario 1 of the North Yorkshire SHMA plus allowance to address the historic shortfall in supply (2008-2011) – revised annual target of 611 dwellings per annum | 2,770 plots available for development (Inc. deliverable SDLP Phase 2 sites) | 4.53 year supply (57 dwellings per annum <u>beneath</u> the annual requirement) | Not Achieved |

Selby Core Strategy: Proposed Changes to the Submission Draft Core Strategy

BOCM PAULS Ltd
c/o Spawforth

38. Table to Show Five Housing Land Supply Scenarios including Draft NPPF Additional Allowance of 20% with Olympia Park Trajectory Added

| Housing delivery target per annum | Total plots available (including Olympia Park site) | Five Year Land Supply | Five Year Land Supply plus Draft NPPF allowance of 20% |
|--|--|---|---|
| Selby DC's revised annual target of 450 dwellings per annum | 2,910 (Inc. 2,770 units from Olympia Park site) +140 | 6.46 year supply (132 dwellings per annum <u>above</u> the annual requirement) | 6.64 year supply (48 dwellings per annum <u>above</u> the annual requirement) |
| Scenario 1 of the North Yorkshire SHMA – revised annual target of 519 dwellings per annum | 2,910 (Inc. 2,770 units from Olympia Park site) +140 | 5.60 year supply (63 dwellings per annum <u>above</u> the annual requirement) | Not Achieved |
| Scenario 1 of the North Yorkshire SHMA plus allowance to address historic shortfall in supply (2008-2011) – revised annual target of 611 dwellings per annum | 2,910 (Inc. 2,770 units from Olympia Park site) +140 | 4.76 year supply (29 dwellings per annum <u>beneath</u> the annual requirement) | Not Achieved |

Selby Core Strategy: Proposed Changes to the Submission Draft Core Strategy

BOCM PAULS Ltd
c/o Spawforths

39. These tables suggest that adopting the Council's 450 dpa housing target could ensure a five year housing land supply and also provide, an additional headroom allowance of 20% in accord with the requirements of paragraph 109 of the Draft NPPF. However, this needs to be considered in the context of the cautious approach that the Council has expressed in Policy CP2, in proposing a lower level of housing growth of 400 dpa than the annual target of 450 dpa during the first five years of the plan.
40. The tables also show that adoption of an annual housing target of 519 dpa, or 611 dpa to address for the undersupply identified in the AMR 2011, would not ensure a five year land supply with the additional headroom allowance of 20% to reflect the requirements of paragraph 109 of the Draft NPPF.
41. On these grounds, we consider that the Council's current proposal to adopt an annual target of 450 dpa and to only commit to deliver 400 dpa in the first five years of the plan to be contrary to national planning policy as expressed in PPS3, the Written Ministerial Statement: Planning for Growth (23 March 2011) and the Draft NPPF and hence unsound.
42. It is also important to note that the figures used to calculate the Council's five year housing land supply do not take account of the historic undersupply of housing as a result of the poor housing completion rates over recent years, which dropped to 226 units in 2008/2009 (AMR 2011), well beneath the Policy H1 of the Selby District Local Plan target of 440 dpa. This strengthens the case to increase the annual housing delivery target above 450 dpa and to be far more ambitious about taking positive measures to achieving the annual housing target throughout the plan period and address the historic undersupply of housing in the District.

Suggested Change to Policy CP3

43. *BOCM PAULS recommend that the Council should amend Policy CP3 to allow for an increase in the level of housing provision in the first five years of the plan to 611 dpa in order to address the historic undersupply of housing over the last three years identified in the AMR 2011.*

Selby Core Strategy: Proposed Changes to the Submission Draft Core Strategy

BOCM PAULS Ltd
c/o Spawforths

Appendix I: Olympia Park SDS Development Trajectory

Appendix 1

Olympia Park SDS Development Trajectory February 2012

| | | 2011 | | | | 2012 | | | | 2013 | | | | 2014 | | | | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 | 2024 | 2025 | 2026 |
|---|-----------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|
| | | Q1 | Q2 | Q3 | Q4 | Q1 | Q2 | Q3 | Q4 | Q1 | Q2 | Q3 | Q4 | Q1 | Q2 | Q3 | Q4 | Q1 | Q1 | Q1 | Q1 | Q1 | Q1 | Q1 | Q1 | Q1 | Q1 | Q1 | |
| Planning Preparation | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Planning Determination | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Post Planning S106 and Conditions | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Strategic Infrastructure Works and Mobilisation | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Housing Occupations | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Employment Land Development | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Housing Trajectory | Dwellings | 1000 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 40 | 80 | 80 | 80 | 80 | 80 | 80 | 80 | 80 | 80 | 80 | 80 | 80 | 80 | 80 | 80 | 80 | 80 | 80 | 80 |
| Employment Land Trajectory | Ha | 23 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.20 | 1.20 | 1.60 | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 |