

Examination of North Somerset Site Allocations Plan

Matters and Questions

Matter 2 – Housing

This statement should be read in conjunction with representations made by GL Hearn on behalf of Redcliffe Homes and seeks to complement and expand on those representations as necessary to assist the Inspector in determining the extent to which the Plan meets the appropriate tests of legal compliance and soundness.

2.1 Would the scale of housing to be delivered on allocated sites in the SAP provide for new housing in accordance with the requirements of the CS in relation to:

- i) The scale of development identified in Policy CS13;**
- ii) The distribution of development in accordance with Policy CS14**

1. Policy CS13, adopted January 2017, requires a supply of deliverable and developable land to be identified to secure delivery of a minimum of 20,985 dwellings over the period 2006-2026 with the appropriate level of new homes to be reviewed by 2018. The Council recognises that the housing figure represents an interim position, not based on an up to date objective assessment of need. However, the figure was based on the maximum forecast of OAN identified within the Edge Analytics “Demographic Analysis and Forecasts” September 2013, plus a buffer of 5% to boost housing supply.
2. Policy CS13 does not distinguish between the requirements for deliverable and developable land. As defined by the NPPF, deliverable sites should be available now, offer a suitable location for development now and be achievable with a realistic prospect that housing will be delivered within five years and be viable. Whilst the NPPF only requires local planning authorities to provide five years’ worth of deliverable sites, Policy CS13 applies this obligation to the full requirement. The Policy also requires all sites to be developable, i.e. in a suitable location for housing development with a reasonable prospect that the site is available and viable at the point envisaged (NPPF, footnote 12, paragraph 47). In addition, the total housing requirement is expressed as a minimum target and accordingly there is no ceiling placed upon housing delivery within the District over the plan period.
3. In light of the imperative to boost housing supply nationally and specifically within North Somerset; and the obligation to increase supply in line with the uplift in the Policy CS13 housing requirement over the remainder of the plan period (circa 8 years), it is reasonable for the policy to require the allocation of specific, deliverable and developable sites across all locations, and to boost supply beyond the minimum requirement set by CS13.
4. This policy requirement raises concerns regarding the ability of the SAP to meet the scale of development required by CS13 through deliverable and developable allocations. Is it appropriate for the SAP to allocate sites which have secured planning permission within the context of a five year housing land supply shortfall, which outside of this context would not align with the Core Strategy? Is it reasonable to suggest that these sites offer suitable locations for development (footnote 11, NPPF) when considered in the plan-led system? The purpose of the SAP is to identify allocations in locations which accord with the spatial strategy within the CS to ensure the appropriate quantum and distribution of growth.

5. Whilst it is recognised that planning permissions represent commitments which North Somerset can normally count towards its five year land supply, the SAP should not rely on the conversion of these planning permissions to allocations to achieve a planned supply of housing land. This approach leads to a disconnect between the spatial strategy and the planned distribution of development and limits the scale of development planned for the District to the minimum required by Policy CS13.
6. Any planning permissions granted in order to boost housing supply and resolve an identified shortfall should be treated as such, a bonus contribution towards supply. To incorporate these permissions into the planned growth, simply exacerbates the issues of supply.
7. In this regard, the SAP has failed to take a proactive approach to plan for sustainable growth. It has failed to allocate sufficient new sites to achieve a total supply beyond the minimum target set by Policy CS13 and anticipate the need for ongoing growth to meet the objectively assessed housing need through the review of the plan by 2018.
8. Table 1 within the SAP, published in November 2016 identified a total supply over the plan period of 21,051 dwellings, a modest improvement upon the CS13 requirement for 20,985 of (66 dwellings). However, in June 2016, just five months earlier the Council had reported to the Inspector examining the remitted policies of the Core Strategy, a housing supply position of 19,270 dwellings, with a shortfall of 1,715 dwellings. This supply position included proposed allocations.
9. The Council's Planning and Regulatory Committee has acknowledged as recently as March 2017 that the Council can demonstrate no more than 4.2 years of housing supply and based on the findings of the Inspector for the Banwell appeal¹, who concluded that the Council has faced a persistent under-delivery of housing; a 20% buffer has been applied to the five year supply.
10. It is therefore evident that the Council has done the minimum necessary to meet the headline housing requirement of Policy CS13. Further land needs to be allocated in order to meet the requirements of Policy CS13 in full.
11. In respect of the distribution of development, "Table 1 Housing Requirement" within the SAP does not align with Policy CS14, as illustrated by the table below:

Table 1: Comparison between Policy CS14 and SAP housing supply

	Policy CS14	SAP	Difference
Weston-super-Mare	At least 6,300	6,253	-47
Weston Villages	At least 6,500	6,500	
Clevedon, Nailsea, Portishead	At least 5,100	5,028	-72
Service Villages	At least 2,100	2,143	+43
Other	At least 985	1,127	+142

12. The results of Table 1 are stark: the SAP fails to meet the minimum housing requirements in the District's key strategic locations which are expected to accommodate the majority of its growth over the plan period. Whilst the shortfalls are relatively modest, the provisions of Policy CS14 and CS13 are clear, all housing requirements are expressed as minimum targets. Therefore as a minimum the SAP must ensure adequate land is identified throughout the District. Whilst the overall housing figure marginally exceeds 20,985 dwellings, this is only achieved through the delivery of higher levels of growth in the service villages and most notably, the infill villages and

¹ APP/D0121/W/15/3138816 Land south of Knightcott Road, Banwell, Somerset

open countryside. The quantum of development delivered beyond defined settlements is concerning and could, if current patterns continue, lead to far higher levels of dispersed, unplanned growth, than planned by the Core Strategy.

13. As drafted the SAP does not accord with the distribution of development defined by Policy CS14 and requires an uplift in delivery within Weston, Weston Villages and Clevedon, Nailsea and Portishead in order to achieve a sound plan.

2.2 In terms of the delivery of the housing sites allocated in the SAP and by the Council in the proposed further amendments of February 2017 (SD20), taking each of the following settlements in turn:

i) Are there any sites which should be excluded from the list of sites identified in Schedule 1 to the SAP and by the Council in the proposed further amendments of February 2017 (SD20) in order for the SAP to be sound?

1. GL Hearn has commented on the suitability of certain allocations within the context of the Sustainability Appraisal in respect of Matter 1. GL Hearn's principal concerns regarding the allocation of sites within the SAP are:
 - a. The allocation of sites with planning permission granted within the context of a five year housing land supply shortfall which do not otherwise align with the Core Strategy;
 - b. The allocation of sites which have not been assessed through the Sustainability Appraisal;
 - c. The allocation of sites where there would be a presumption in favour of development through the Local Plan in any event;
 - d. The likelihood of delivery from sites carried forward from the Replacement Local Plan which do not have a current consent.
2. For simplicity, the sites recommended for removal from Schedule 1 for the above reasons are tabularised below.

Table 2: Sites to be excluded from SAP Schedule 1 and SD20:

Settlement	Site Reference	Reason for Exclusion
Weston-super-Mare	Westacres Caravan Park (130 units)	Carried over from Replacement LP; no planning consent; sequential and exception test for flooding required.
	Orchard House, Ebdon (12 units)	As above.
	Land to the north of the A370, Summer Lane (89 units)	As above; the site also lies within 5km consultation zone for Bats SAC.
	Bridge Farm, Bristol Road (73 units)	As above.
	Land at Wentwood Drive (50 units)	Appeal allowed ² in context of five year housing land supply shortfall. Provisions of Core Strategy would present presumption in favour of development of up to 75 dwellings on edge of WSM without the need for allocation.
Clevedon	Moor Lane (10 units)	As Orchard House.

² APP/D0121/W/16/3151660 Land off Wentwood Drive, Weston-super-Mare, North Somerset

Yatton	Land to the east and west of Wemberham Lane (24 units)	As above.
	Oxford Plasma (51 units)	PDL within settlement boundary; extant consent, no allocation required.
	Land at North End (170 units)	Permission granted within context of a 5 year land supply shortfall. Scale of greenfield development at Yatton extends beyond CS14 provisions for small-scale development at service villages. Allocation of land inappropriate.
	Arnolds Way (Phase 2) (200 units)	Inadequately assessed through SA. Circumstances otherwise as above.
	Moor Road (60 unit)	In context of substantial growth at Yatton, a further allocation is unnecessary and would further conflict with the provisions of Policy CS14 to limit development at service villages to small-scale.
	Churchill	Pudding Pie Lane (East) (141 units)
Bleadon	Bleadon Quarry (42 units)	Resolution to grant permission. Scheme does not align with strict controls placed upon infill villages and countryside locations. Inappropriate to allocate site.
Failand	Redwood Lodge, Failand (Care village)	Site is under construction for care village. Allocation of site serves no useful purpose.
Sandford	Land North of Greenhill Road (118 units)	Appeal ³ allowed in context of housing land supply shortfall. Scale of development at infill village is contrary to Core Strategy, CS14. Therefore inappropriate to allocate.
Tickenham	Tickenham Garden Centre (32 units)	Scale of development contrary to Core Strategy for countryside location. Therefore allocation is inappropriate.

³ APP/D0121/W/15/3139633 Land to the north of A368, Sandford, North Somerset

ii) Having regard to additional information supplied with examination document CD1 and Appendices, how likely is it that the sites allocated in Schedule 1 of the proposed amendments will deliver the housing requirement of the CS within the Plan period 2006-2016?

- a) Weston-super-Mare
- b) Clevedon
- c) Nailsea
- d) Portishead
- e) Winscombe
- f) Yatton
- g) Backwell
- h) Congresbury
- i) Churchill
- j) Banwell
- k) Bleadon
- l) Uphill
- m) Barrow Gurney
- n) Failand
- o) Sandford
- p) Tickenham

1. As outlined above, the SAP serves only to meet the minimum headline housing requirement of Policy CS13 through identification of 21,051 dwellings over the plan period. Based on the Council's evidence, inclusion of the sites identified by SD20 increases supply to 21,281 dwellings, representative of 101.5% of the required minimum supply. Therefore, in simple terms, if the Council's evidence is accepted, it is reliant on 98.6% of housing units identified by the SAP, being delivered by 2026. The Council has already conceded that 300 units at Weston Villages will not now contribute towards the five year supply. Any such delays in the delivery of strategic sites are likely to undermine the delivery of these allocations within the plan period.
2. In this context, it is exceptionally optimistic to expect the SAP to meet the housing requirement of Policy CS13 in full within the plan period.

iii) Is it appropriate to include an allowance for windfall development within the calculation of housing provision in Table 1 to the SAP?

1. In the context of paragraph 48 of the NPPF, it is only reasonable for the Council to include windfall sites in the five-year supply if there is compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply.
2. The Council's 'Residential Land Survey April 2016 Headline Findings' report that 1,647 units were delivered through windfalls over the 10 year period 2006/7 – 2015/16 i.e. 164 units average per annum. However, it is evident that the rate of windfall deliveries is a declining trend, with only 96 units delivered in 2015/16. The Survey expects delivery of 137 dwellings from windfalls each year through the remaining plan period and this is reflected within the Council's evidence to the examination in CD1a. However, this level of windfalls has only been achieved or exceeded in six of the 10 years recorded by the Residential Land Survey and the average rate is boosted by significantly higher rates of windfall delivery in the first three years of the period (2006/07 – 2008/9) during the peak of the economic cycle and prior to adoption of the Core Strategy.
3. Historical rates of windfall delivery do not provide compelling evidence to support the Council's proposed windfall allowance for the remainder of the plan period. A reduction in the windfall

allowance should be made to reflect the decline in windfall completions; a figure of no more than 100 units per annum is deemed to be sufficient.

2.3 In terms of providing for a five year housing land supply (HLS):

- i) **What is the most up to date calculation of delivery in the period since the start of the Plan period in 2006?**
- ii) **What is the level of shortfall in provision against the CS requirement for the first part of the Plan period?**
- iii) **Does the Sedgefield approach to the calculation of HLS with a 5% buffer as identified by the Inspector in his report on the Core Strategy remain the most appropriate methodology for delivery?**
- iv) **Having regard to the evidence on the delivery of allocated sites under Question 2.2, how likely is it that the SAP would deliver a five year supply of housing at the time of adoption in accordance with either:**
 - **The Sedgefield approach with a 5% buffer.**
 - **The Sedgefield approach with a 20% buffer.**

1. The Council's April 2016 figures remain the most up to date calculation of supply since 2006, although it is understood that the April 2017 figures will be available shortly following submission of the hearing statements. It is understood that a Statement of Common Ground will be sought between developers and the Council to update the Inspector in respect of housing supply issues. Redcliffe Homes intends to contribute towards the Statement of Common Ground to clarify areas of agreement and disagreement with the Council in this regard.

(iii) Sedgefield approach

2. In respect of the Sedgefield approach, this remains the most appropriate methodology for calculating the HLS to ensure housing supply is boosted within the remaining plan period and prior to its review. The 5% buffer is not relevant. The Council acknowledges that it has under-delivered for the last 5 years against the housing requirement; a persistent under-delivery for the duration of a rolling 5 year period. Whilst the particular circumstances of the Council's remitted policies is acknowledged, the evidence of a persistent under-supply is demonstrable and therefore there is a need to increase the buffer to 20% in accordance with paragraph 47 of the NPPF.
3. The Council's own evidence of its land supply position at April 2016 indicates that the Sedgefield approach with a 5% buffer would achieve 5.12 years supply, a position which the Council sought to defend at the recent Farleigh Fields Inquiry⁴. However, application of a 20% buffer led the Inspector for the Banwell appeal⁵ to conclude a 4.2 year supply was reasonable. At the Oldmixon Road⁶ appeal the Inspector noted that the Council could not demonstrate more than 4.2 years and defined this shortfall as very serious or significant. The Council has relied upon the proposed allocations of the SAP in defending its position at inquiry and therefore it is reasonable and logical to conclude that the SAP would fail to deliver the five year supply based on Sedgefield plus 20% buffer, as required to address the persistent under-delivery within the District.

(iv) SAP Five Year Supply

4. Based on the Council's evidence (CD1a) and assuming the Council adopts the SAP in Q3 or Q4 of 2017, it would be reasonable to assume that the Council could rely on the supply of housing for the periods 2017/2018 – 2021/22 to demonstrate its five year supply.
5. It is noted that the Site Allocations Plan Schedule at CD1a includes sites which are not allocated within the SAP but which benefit from planning permission. In addition, the Council has included annual allowances for small sites with planning permission, small site windfalls, change of use

⁴ Footnote.

⁵ APP/D0121/W/15/3138816 Land south of Knightcott Road, Banwell, Somerset

⁶ APP/D0121/W/16/3150985 Land north of Oldmixon Road, Weston-super-Mare

from redundant rural buildings and reuse of empty homes to contribute towards its supply. The combined contribution of these sites is 195 dwellings per annum. With reference to our comments above regarding windfall rates, these rates of delivery appear to be optimistic. !

6. Notwithstanding this, using the Council's figures in CD1a, all sources of supply derived from the SAP, over the period 2017/2018 – 2021/22 would deliver **6,895** dwellings. A five year supply of housing land could not be demonstrable using these figures if the Sedgefield methodology is adopted, regardless of whether a 5 or 20% buffer is applied. The Sedgefield 5% buffer would require **8,131** dwellings as a minimum. These figures assume that all sources of supply identified by the Council would deliver in accordance with its housing trajectory.
7. As outlined in paragraph 2.3.2 above, the Council's five year supply should be tested based on Sedgefield plus a 20% buffer in recognition of the persistent under-deliver of housing supply. The five year requirement in this context would be **9,293** dwellings at the time of adoption (assuming 2017 adoption).
8. It is demonstrable that, notwithstanding whether a 5% or 20% buffer is applied, the SAP would not deliver a five year supply of housing at the time of its adoption.
9. Even if the Sedgefield methodology were accepted and a 5% buffer applied, the Council would only demonstrate a 5.05 year supply at the time of adoption.

2.4 What provision could be made if the evidence suggests that the submitted SAP would not be able to deliver a five year supply at the time of adoption?

1. It is evident from the above that the SAP would be unable to deliver a five year supply at the time of adoption and would face a shortfall of at least 1,232 dwellings (Sedgefield 5%) over the five years. GL Hearn takes the view that the persistent under-delivery of supply warrants a 20% buffer which would increase this shortfall to 2,393 dwellings. In these circumstances, it is not possible to conclude that the SAP is sound; the plan is inconsistent with the NPPF, paragraph 47 and fails to boost significantly the supply of housing.
2. Concerns have been expressed at recent S78 inquiries regarding the deliverability of Weston Villages, a key component of the Council's housing supply. The Council's five year land supply evidence of deliverability (CD1b) acknowledges Inspector Pope's comments at the Banwell appeal⁷ and reduces the capacity accordingly by 300 units over the five year period. It is therefore unreasonable to expect any further contribution could be achieved from the large scale strategic sites during the five year period.
3. The Council reasonably assumes the delivery of sites granted on appeal to contribute in full towards the 5 year supply. Whilst this may be optimistic, the purpose of these sites was to meet a shortfall in the 5 year supply and therefore these assumptions are not challenged.
4. Therefore, the only reasonable options available to achieve a five year supply are:
 - a. To review the potential capacity of PDL sites within the main settlements to ensure their maximum residential capacity is promoted through the SAP; and
 - b. To allocate additional housing land which has been assessed through the SA process.
5. As detailed within GL Hearn's representations to the Publication Version of the SAP and in the hearing statement to Matter 1, the Council has failed to fulfill its Core Strategy vision to achieve thriving rural communities, enhancing the sustainability of its service villages. Despite the identification of nine service villages within the Core Strategy, housing allocations are directed to only six of the villages; no allocations are proposed at Long Ashton, Easton in Gordano/Pill or

⁷ APP/D0121/W/15/3138816 Land south of Knightcott Road, Banwell, Somerset

Wrington. Moreover, the SAP proposes to allocate land at the infill villages in preference to further allocations at the service villages.

6. As detailed within GL Hearn's hearing statement for Matter 1, the distribution of housing across the service villages is inequitable and does not reflect either the relative sustainability of the settlements or the Core Strategy and national policy objectives to enhance the sustainability of rural settlements. The allocation of land at Backwell and Long Ashton is limited by their respective Adopted Neighbourhood Development Plans and the allocation of land at Yatton has already substantially exceeded what can be regarded as an appropriate scale of growth for a service village. However, there are opportunities within other service villages to contribute towards the five year housing supply.
7. The SAP has made no provision for housing allocations at Wrington despite its status as a service village. As detailed within our representations to the Publication Version of the SAP, land at Cox's Green, Wrington offers a suitable location for a housing allocation to deliver up to 59 dwellings on the edge of the settlement. The site has been assessed through the SA, albeit for a significantly larger tract of land and associated capacity. The SA's findings fail to recognise the potential of a smaller allocation.
8. Redcliffe Homes submitted an outline planning application in 2016 for up to 59 dwellings; an appeal was lodged against non-determination in December 2016 and a Public Inquiry is anticipated in September 2017. A second outline application for up to 28 dwellings was submitted in February 2017 and is pending consideration by North Somerset Council. The application is made within the context of the adopted Policy CS32 which allows schemes of around 25 dwellings on the edge of existing service villages to be brought forward through the development management system.
9. Both proposals would deliver new pedestrian links into the village centre to significantly improve pedestrian safety for both new and existing residents. The proposals would boost the supply of market and affordable housing and contribute towards local infrastructure, in line with adopted policy. Both proposals would deliver appropriate levels of growth for the village of Wrington, contributing towards the long-term viability of local services and infrastructure, supporting and fostering a sense of community. In the interests of planned, sustainable growth, should the Inspector be minded to allocate additional land through the SAP to create a sound plan, Redcliffe Homes would respectfully request that an allocation of 59 dwellings is included within the plan to achieve a meaningful contribution towards market and affordable housing supply at Wrington.
10. In respect of all housing matters detailed above, Redcliffe Homes intends to participate in the preparation of a Statement of Common Ground with other participants and the Council to establish areas of agreement and disagreement. Redcliffe Homes reserves the right to amend its position to reflect the position within the Statement of Common Ground and the April 2017 housing figures once published, as appropriate.