

RESPONSE TO THE JOINT CORE STRATEGY PRE-SUBMISSION DOCUMENT – published June 2014

SUMMARY

The CPRE nationally and locally is one of the strongest advocates and defenders of the ‘Plan Making’ system and therefore of the need to have an up to date Local Plan in place.

It is therefore with a real sense of frustration that we find this Pre Submission Document deficient and ‘unsound’ in so many respects.

It proposes a Strategy that will fail. The three Local Authorities are still in a position to suggest significant modifications before its submission for Examination.

To be ‘**sound**’ the strategy must be Positively prepared, Justified, Effective and Consistent with the National Planning Policy Framework (NPPF).

The Pre-Submission document demonstrably fails these tests, particularly on issues previously highlighted by CPRE and others in earlier rounds of consultation. Indeed if these earlier responses had been taken into account, then many aspects of this response would have been unnecessary.

So again we draw the attention of the three Local Authorities and now also the Inspector, to a series of examples which demonstrate serious shortcomings in the Evidence Base a failure to implement key policies of the NPPF.

Ensuring viability and deliverability

a) Delivery

NPPF Paragraphs 173 and 177 respectively say:-

173. Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable.

177. It is equally important to ensure that there is a reasonable prospect that planned infrastructure is deliverable in a timely fashion. To facilitate this, it is important that local planning authorities understand district-wide development costs at the time Local Plans are drawn up. For this reason, infrastructure and development policies should be planned at the same time, in the Local Plan.

The JCS’s own Infrastructure consultant’s Report dated as recently as June 2014, in contrast contains the following caveats:

“The cost and specification information received for individual infrastructure schemes has not been audited or tested for accuracy”

And importantly, it concludes that overall a

‘funding Gap’ of some £700 Million currently exists with many unfunded elements that are deemed to be ‘essential’ in order to secure the development of the Strategy.

The consultants further stress and conclude that:-

“Successful implementation of infrastructure requires a well-managed infrastructure delivery framework which is monitored and managed by the relevant local planning authorities and updated regularly as infrastructure is delivered and new projects and requirements are developed and fully costed.

Perhaps of greatest importance for the JCS authorities is the need to begin to prioritise infrastructure needs and projects and further understand the potential funding situation in order to continue to develop a funding gap model for the JCS area.”

The latter is an issue that CPRE Gloucestershire has consistently raised in its previous responses. Unfortunately our advice appears to have been ignored and not even recorded correctly in the JCS response document.

No phased programme of infrastructure provision is included. As a result, key elements of essential infrastructure may not be delivered in a timely fashion or even delivered at all, resulting in ‘unsustainable development’.

b) Viability

The Strategic Allocation Trajectory (*Housing Background Paper July 2014 Figure 1 Page 16*) goes further in providing key evidence of the JCS’s failure to provide a viable delivery schedule.

Using the team’s own reports, in this case the ‘Viability Assessment Study’ dated June 2014, it can be seen that the Pre-Submission Document fails to identify realistic lead times for the development of the proposed strategic allocations.

For major sites a lead time from the grant of a planning permission is stated as likely to be between 26/27 months before first completions and sales. However, experience shows, in reality it will take even longer, especially if Strategic Policy 5 of the Pre- Submission Document is actually to be enforced as this requires the preparation of detailed ‘masterplans and design briefs’ for the strategic allocations.

Further, the JCS’s optimistic programme suggests that final approval of the Core Strategy might occur in the summer of 2015. In theory that should then be followed by three separate Local Plans for each Authority before key sites come forward for detailed approval.

Unless, and this is very unlikely, both outline and detailed planning applications are approved within 12 months of the Strategy’s approval – then no completions on the strategic allocation sites will take place before summer 2018. Yet the Pre-submission Document’s development trajectory sees the first completions during 2015/16 with every ‘allocation’ site delivering completions in 2016/17. This is clearly not ‘viable’ and further proof that the current strategy is ‘**unsound**’.

If further evidence is needed it can be found in the recent decision taken by Cheltenham Borough Council on the Leckhampton application for 650 dwellings. This serves to reinforce the point, as does the great uncertainty that exists over the availability or release of the major allocation at Ashchurch. Even when decisions are finally made, the latter will require extensive ‘essential’ infrastructure provision, as will the NW Cheltenham proposal which also supposedly brings completions in 2016/17.

Simply, what the JCS team has succeeded in proving is that the OAN (as currently identified) cannot be met in the period up to 2031. We are at a loss to understand why that cannot be admitted. It is a physical impossibility to deliver because of the need for key pieces of infrastructure and the lead times required to open new major sites.

Any attempt to open up even more sites would not just be impractical but would further blight additional greenfields and conflict with the NPPF's suite of policies designed to protect the environment in this already congested central part of the County. It would also fail any test related to the provision of 'sustainable development'.

Affordability

The above issues have major implications for the realistic provision of new homes that might be delivered before 2031.

In earlier responses we also highlighted key issues related to the practicality of meeting elements of the 'objectively assessed need'. In particular, we referred to the split between Market, Private Rental and Affordable homes. Initially we were pleased to see in the Pre-Submission Document that at last some attempt has been made to distinguish between some of the different sectors of 'housing need' and that the Document now sets a target for the overall provision of 30% of completions for Affordable homes, requiring the standard provision of some 40% on the major allocation sites.

However, any failure to deliver even this modest percentage of 'Affordable homes' would make the strategy **'unsound'**. Evidence from elsewhere in the County and country shows developers consistently challenging the housing mix on the grounds of 'viability'. Although we note some work has been done by the District Valuer to assess viability, any departure from the targets would result in a significant failure to meet the OAN and requires close scrutiny before 'Adoption' is considered.

Importantly, any substitution at a later stage by Market homes to make up the total numbers being proposed on any site would merely compound the Strategy's failings and simply lead to greater in-migration.

If these concerns were not enough we note that the JCS evidence base actually shows an even greater need for Affordable homes provision than the 30% target. It apparently identifies a significant previous under-provision of Affordable homes in the JCS area (Gloucestershire Affordability Model – Outputs of Initial Testing of JCS Scenarios March 2014). That document shows that allowing for just an additional 10% increase to make up part of the backlog of 'need' (pages 14/15 of above source) results in a theoretical requirement of some 2130 'affordable' homes per annum for 2011 to 2031; a figure that is not only massively in excess of the 'total annual dwelling requirement' proposed for the Strategy but one that becomes even more significant as we are currently some 15% into this time period.

We question what that implies for **'soundness'** in terms of the Viability and Deliverability tests. Certainly it should be a key issue for scrutiny at any Examination.

Delivering Sustainable Development

Our next example of **'unsoundness'** relates to NPPF Paragraph 7. This sets out the underlying principles against which all development proposals must be tested, i.e. whether the development proposed will be 'Sustainable'.

Amongst other things, it sets two tests that Sustainable Development proposals must meet, namely providing:-

- **a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and

- **an environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

Consequently the pre-submission strategy must be tested for its '**soundness**' against the above NPPF statement.

We have already indicated that it will fail to meet community needs in terms of the timing of, and overall provision of, basic 'essential' infrastructure. But when looked at more closely Arup's Infrastructure report hints at the type of decision that might result if the current version of the Strategy were to be approved.

Page 15 of Arup's report suggests that just £14.5 million of Recreation, Sports & Open Space needs are 'essential', leaving the provision of a staggering £115.4 million of facilities as merely 'Desirable'!

Considering that ratio in the context of the above NPPF requirements, particularly the need to make provision for

'community needs and support its health, social and cultural well-being' and

'the need to not just protect but also enhance the environment

indicates that the Strategy is set to fail yet another key test of its '**soundness**' i.e. to secure Sustainable Development.

To compound this problem, crucially no account appears to have been taken of the 'revenue' consequences of the development levels being proposed for the longer term maintenance of any facilities by the Local Authorities.

Green Belt

The NPPF makes it clear (paragraph 83) that '*Once established, Green Belt boundaries should only be altered in exceptional circumstances*'.

We agree that should urban extensions prove necessary to accommodate development requirements (which cannot be met within the existing urban areas) then development within the Green Belt is the only available, reasonable sustainable option (JCS paragraph 4.6.4).

To remove land from the Green Belt, however, exceptional circumstances must be demonstrated for each individual proposal. For the plan to be regarded as '**sound**' any Green Belt land releases must not compromise the essential purposes of the Green Belt. (JCS paragraph 4.6.1)

The JCS Green Belt Review undertaken by AMEC assessed the Green Belt by “strategic segment” and identified those segments where:

- the Area makes a significant contribution to Green Belt purposes,
- the Area makes a contribution to Green Belt purposes, and
- the Area makes a limited contribution to Green Belt purposes.

Five of the Strategic Land Allocations would involve removing land from the Green Belt, as would developing the safeguarded land. In three cases this would involve loss of Green Belt assessed as making a significant contribution to the purposes. These areas are North Churchdown (segment NW3), South Churchdown (segments SW5 and NW4) and the safeguarded land west of Cheltenham at the Hayden Water Reclamation Works (segment NE4).

We have particular concerns over the Strategic Allocation A3 – South Churchdown and the Safeguarded Land west of Cheltenham where we consider that the contribution to Green Belt purposes is so great that the locations should be removed from the Strategy in order for it to be assessed as ‘**sound**’.

Strategic Allocation A3 – South Churchdown

This area of Green Belt is critical in maintaining separation between Gloucester and Churchdown and ensuring that Churchdown retains its separate identity. The “gap” is less than 1km. In addition, the land immediately to the north west of the railway is part of the setting of Churchdown Hill and is important in views from the hill.

Safeguarded Land – Hayden Water Reclamation Works

This area of Green Belt is critical in preventing a major westwards extension to Cheltenham which would reduce significantly the separation between Gloucester and Cheltenham, the key purpose of the Gloucester and Cheltenham Green Belt. Development at this location would also be prominent because of the slope of the land which falls from the edge of the current built up area at Springbank towards the M5. This concern was recognised in the Sustainability Appraisal which says“it was identified that the loss of some Green Belt land by development of the Safeguarded Areas (beyond the period of the Draft JCS to 2031) will ultimately lead to negative effects as it is considered that the land to the West of Cheltenham makes a significant contribution to the Green Belt.” (Appendix IX, page 69)

Uncertainty and Monitoring

NPPF Paragraph 47 includes the following policy statement and footnote relating to the preparation of Local Plans indicating that it should:-

- *identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15;*

Footnote 11

To be considered 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 on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.

Footnote 12

To be considered developable, sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged.

The earlier paragraphs in this response have demonstrated that neither of these statements can be substantiated i.e. the sites identified are either 'available' or 'deliverable'.

To compound the problem, the arrangements for Monitoring proposed in the Strategy are remarkable by their absence. Paragraph 1.28 of the Pre-Submission Document sets out some fine sounding principles but these are not reflected in any Policy of the Core Strategy. For example, while it is helpful to include a reference in Strategic Objective 6 to making the 'best use of previously developed' land it is not followed up by a Policy to give emphasis to the early development of these sites in preference to the use of greenfields. Again this highlights the lack of any meaningful phasing policy in the Pre-Submission document.

Further, only the possibility that a future shortfall of sites for development might arise is mentioned and not that future monitoring might show the current estimates adopted by the Plan are unrealistically high!

Evidence Base

a) Employment

The key issue for employment is whether the forecast number of jobs that will be created and provided for is deliverable. If there is an overprovision of employment land the JCS fails to be effective and is therefore '**unsound**'.

The report by NLP (Assessment of Updated Economic Forecasts, April 2014) concludes that the employment land requirement for the JCS area is between 34 and 62ha between 2011 and 2031. Its assessment analyses the data produced by Experian, Cambridge Econometrics and Oxford Economics. NLP suggest that provision should be towards the upper end of this range. However, given the uncertainty over likely improvements to the future economic climate and given an ageing population, the provision of employment land at a realistic lower figure and reviewed every 5 years, would ensure the effectiveness of the JCS. If the economy does steadily improve, and the jobs that have been forecast are created, this growth could be provided for at each review stage if needed.

The Employment Land Review (NLP March 2011 paragraph 5.59) states that

"Fulfilling the vision for economic growth cannot be achieved simply by allocating large amounts of land".

A lack of infrastructure, particularly roads, schools, hotels, shops and affordable housing will impact on the willingness of businesses to expand in, or relocate to, the JCS area. A lack of affordable housing and/or poor access to an employment site will have implications in terms of an available workforce.

b) Objectively Assessed Need

Finally, we have commissioned a report from Richard Fordham & Company to independently review key aspects of the Evidence Base. We reproduce below an extract from its Summary findings and have included the full report as an Appendix.

“Conclusions

- 1. This review of the JCS evidence base changes over the past year strengthens the case for not setting any firm targets for 18 years ahead, and more pertinently, not allocating large areas of land against what are clearly unsound targets. Even in its own narrow demographic terms the Cambridge evidence is unsound in denying the need for revision to its figures in the light of the new census data.*
- 2. However, changing the JCS demographic assumptions is almost irrelevant. The national economic situation does not warrant such optimistic figures: the outcome figures are likely to be lower than these ambitious targets. In one sense it may not matter if the JCS figures are far too optimistic. They just won't get built. In another sense an undershoot of these targets will have a major and negative impact. If land allocations are made on the basis of these 'unsound' figures, future generations will pay a high price, since much open land and landscape will be unnecessarily lost.*
- 3. The lack of economic analysis in the JCS work is regrettable. At the simplest level I note that although about 2 million new homes were built in the 1990's and the 2000's the purchasing makeup was radically different (paras 2.5-2.8). Nearly all the 1990's housebuilding went to direct buyers but after 2000 only 14%: the major purchasers were Buy to Let landlords. But the future of the latter industry is uncertain. Houses are selling now, because of the subsidies and because of pent up demand since 2008, but that will not provide demand over two decades. Only genuine economic growth will do that, and there is relatively little prospect of it.*
- 4. The best route would be to develop a sound evidence base instead of the present JCS one. The fallback is either to allocate much lower targets over the whole planning period than the JCS ones, or to limit firm allocations of new sites to a five to ten year period, with an early built in review based on careful monitoring. A phased approach is needed and will mitigate the damage done if the much lower job and household forecasts which seem plausible to me are realised. Major landscape damage, blight and wasteful expenditure will then be avoided.”*

CONCLUSIONS

We are in no doubt that this Pre-Submission document is clearly 'unsound' as defined in the tests set by the NPPF.

The above examples demonstrate that the currently proposed Strategy is neither 'deliverable' nor 'viable' and contains proposals that fail to implement the core policies of the NPPF.

Seeking to be positive, the way forward now for the three Authorities should be a simple statement to the effect that - 'having tried, they now recognise that it is neither practical nor appropriate to seek to meet the total number of dwellings, or its composition, as currently identified by their OAN research.'

As a result, they now need to acknowledge that Paragraph 14 of the NPPF allows them to bring forward a Strategy for a significantly lower total number of homes but one that is achievable and is capable of delivering truly sustainable development in this exceptionally important and sensitive part of Gloucestershire.

On this basis, there is now no other option but to amend the Pre- Submission Document and to rapidly redraft key aspects of its proposals for submission to the Examination.

In order to resist a series of speculative planning applications, that in turn would equally not satisfy the Policies of the NPPF nor provide for Sustainable Development, reference needs to be made to Paragraph 47 of the NPPF.

This clearly states that any consideration of 5 year supply relies upon calculations based upon the 'housing market area'.

It does not say 'in each Local Authority area'.

Given the principle of co-operation between authorities set out in the NPPF, it is quite appropriate for the three Authorities to propose that the first stages of implementation of the Core Strategy should be dependent upon the supply of currently available land in Gloucester City, existing planning commitments and through the greater use of brownfield sites.

This would provide an excellent example of how practical phasing policies could work in a revised Core Strategy. It would give priority to the development of available brownfield sites in Gloucester and elsewhere in the first few years of the Strategy, whilst new major allocations are being properly planned, along with the provision of phased infrastructure, to deliver truly 'sustainable development' for housing needs in the longer term.