



Gladman Developments Ltd

Ribble Valley Housing and Economic Development DPD Examination

Issue 1: Legal compliance – has consultation been carried out in accordance with the Statement of Community Involvement and the relevant Regulations; has the DPD been subject to sustainability appraisal; has a Habitats Regulation Screening Report been carried out and has the duty to cooperate been met?

a. Has the Plan been prepared in accordance with relevant legal requirements, including the Duty to Co-operate and the procedural requirements of the National Planning Policy Framework?

1. The Duty to Cooperate (DtC) is a legal requirement established through Section 33(a) of the Planning and Compulsory Purchase Act 2004, as amended by section 110 of the Localism Act. It requires local authorities to engage constructively, actively and on an ongoing basis with neighbouring authorities to address cross boundary strategic issues throughout the process of Plan preparation.
2. The Planning Practice Guidance (PPG) provides guidance upon compliance with the DtC which makes clear that local planning authorities should explore all available options of delivering the planning strategy within their own area, and should approach other authorities with whom it would be sensible to seek to work together to deliver the planning strategy¹. This should be achieved through co-operation between local planning authorities, county councils and other public bodies to produce effective policies relating to strategic cross boundary matters².
3. Whilst there is no definitive list of actions that constitutes effective cooperation under the duty, cooperation should produce effective policies relating to cross boundary matters. Local planning authorities and public bodies may enter into agreements on joint approaches, which may involve joint evidence and strategies to define the scope of the Local Plan.

¹ PPG Reference ID: 9-003-20140306

² PPG Reference ID: 9-010-20140306

4. The Council must be able to demonstrate that it has worked constructively with neighbouring authorities to address any strategic cross boundary needs and that this work has produced effective outcomes. However, it is notable that the Housing and Economic Development DPD (HEDDPD) is not supported by a DtC Statement and Gladman are therefore concerned that the Council may be unable to demonstrate compliance with the DtC.

b. Is the Plan in general conformity with the National Planning Policy Framework? Does it reflect the National Planning Policy Framework's presumption in favour of sustainable development?

5. Gladman is concerned that the HEDDPD does not have regard to the presumption in favour of sustainable development. Indeed, it is essential that clear contingencies are put in place in order to take account for changes in circumstance over the plan period.
6. In order to provide flexibility and a suitable contingency to meet development needs, Gladman are of the view that the HEDDPD should allocate additional housing land to ensure that it is able to meet identified minimum housing requirement identified in the adopted Core Strategy³. As long as sustainable sites are identified, then there would be no harm should this result in delivering a greater number than the minimum requirement of housing. This approach will ensure that any delays that may be experienced in the delivery of more difficult to deliver strategic sites can be supported by a wide range of smaller sites that have the ability to provide additional housing numbers in the shorter term. Greater flexibility should be provided within the HEDDPD to ensure that development opportunities in sustainable locations can be brought forward across the settlement hierarchy.
7. As highlighted in our previous representations to the publication version of the HEDDPD, Gladman believe that the Council should not be solely reliant on sites identified in the HEDDPD and that it is necessary to include a suitable policy mechanism similar to the approach taken in the Scarborough Local Plan Examination where it was identified that the Plan as submitted was not sound with regards to housing land supply. However, through the inclusion of additional housing allocations, and the modification to the policy to ensure that new sustainable opportunities would be allowed outside settlement limits if at any time in the plan period is unable to demonstrate a 5 year housing land supply. Indeed, a similar approach was taken in the recent Inspector's Report to the South Derbyshire Local Plan Part 2 (September 2017) which recommended main modifications relating to similar issues and stated at paragraph 21:

"Nevertheless, to ensure the effectiveness of the Plan to adapt to rapid change which might lead to a shortfall in housing land supply, main modifications are necessary to Policy BNE5 (MM36) and

³ Key Statement H1: Housing Provision

its explanatory text (MM37). These modifications include and justify a new criterion (iii) in the policy to allow for development outside of settlement boundaries where it would be unavoidable, such as the Council being unable to demonstrate a 5-year land supply. Such an amendment would add an appropriate degree of additional flexibility to the Plan to adapt to changing circumstances and meet the district's development needs, in a way which would be consistent with sustainable development, without compromising the overall spatial strategy of the Plan."

8. It is imperative that the HEDDPD plans for suitable contingency that would allow sustainable sites to come forward at any time the Council is unable to demonstrate a 5 year housing land supply would not undermine the spatial approach contained in the adopted CS given that Policy DMG2 allows for development to 'consolidate, expand or round of development so that it is closely related to the main built up areas...'

c. Is the Plan consistent with the Core Strategy and is it capable of meeting its objectives?

9. The strategic objectives contained in the adopted Core Strategy seeks, amongst other objectives of the plan, to "increase the supply of affordable and decent homes in the borough to help meet identified needs" and "ensure a suitable proportion of housing meets local needs".
10. Gladman are concerned that the allocation of only two housing sites will not provide the necessary contingency to ensure that there is an increased supply of affordable homes to meet the housing needs of local communities across the borough. In line with our submissions above, it is critical that the Plan over allocates housing land to provide contingency in order to fulfil the CS' objectives.

d. Are appropriate arrangements in place to ensure proper monitoring of the Plan?

11. See response to issue 2(f).

Issue 2: Housing – whether the Council's strategy for meeting its housing requirement is sound and whether the housing policies of the DPD are consistent with, and positively promote, the visions, objectives and spatial policies contained in the Core Strategy?

a) Is the amount of land allocated for housing sufficient to meet the CS requirements?

12. Gladman do not believe that sufficient housing has been identified to meet the CS requirements. Since the start of the plan period, the Council has accumulated a significant housing shortfall equating to approximately 750 dwellings. It is also apparent from the Council's latest Housing Land Availability Schedule (April 2017) that the majority of sites comprise of sites with outline planning consent (1,477 dwellings), full planning permission (534 dwellings), affordable housing

which has yet to commence (799), whereas sites which have started or are under construction comprise a total of 831 dwellings.

13. Whilst it is acknowledged that housing delivery has increased in recent years, it is important to note that housing delivery will be likely associated with peaks and troughs over the plan period. It is unlikely that all of the Council's housing commitments will come forward at the same time and rate of delivery due to complex issues relating to discharge of conditions, infrastructure requirements or may not come forward as originally anticipated. Furthermore, there is still a need to ensure that the significant shortfall that has already accumulated is planned for as soon as possible.
14. Whilst the HEDDPD is only required to plan for the housing requirement contained in the CS, this is a minimum figure that should be achieved. The HEDDPD as submitted notably lacks any contingency measures to ensure that the housing requirement will be delivered in full.
15. In consideration of the Council's ability to demonstrate a 5 year housing land supply (5YHLS), it is apparent that the Council's assumptions appear to be somewhat marginal and should only a small number of sites not come forward would result in the Council being unable to demonstrate a 5YHLS. Accordingly, it is considered that in order to deal with the housing under supply a 20% buffer should be included and that this is dealt with via the 'Sedgefield' method. Failing to address the undersupply of housing that has already accrued in the borough within five years, without good reason, will only serve to create further barriers for households looking to access the housing market, whose needs will continue to go unmet.
16. It would be particularly unjustified where there are additional suitable housing sites that could readily be developed and come forward in the short term to meet Ribble Valley's full objectively assessed needs.

b) Is there a housing trajectory for the delivery of housing on the strategic site and the principal settlements? 1040 dwellings are identified for Standen over the plan period where will the remainder of the housing requirement be provided?

17. Gladman are not aware that a housing trajectory has been produced to support the submission version of the HEDDPD and reserve the right to comment on this matter at the examination hearings.
18. Notwithstanding this, it is clear that housing has not delivered as previously anticipated within the CS housing trajectory. In this regard, the Council should ensure that it applies realistic delivery estimates, should delivery rates not be achieved, a significant shortfall will soon arise.

19. In order to secure the deliverability of the Plan in full, Gladman consider that the spatial strategy must allow for additional flexibility so that sites that have not been allocated through the Plan are capable of coming forward to accommodate any slippage in the predicted delivery of the Council's proposed housing allocations.

d) Does the plan make provision for addressing inclusive design and accessible environments issues in accordance with paragraphs 57, 58, 61 and 69 of NPPF?

20. Gladman have no specific comments on this issue.

e) Are Housing Allocation Policies HAL1 and HAL2 clear on what will and will not be permitted – for example housing numbers, tenure mix?

21. Gladman have no specific comments on this issue.

f) Is the proposed monitoring likely to be adequate and what steps will be taken if sites do not come forward?

22. To meet the overall plan requirement, the Council consider that the CS provides sufficient provision within existing policy framework to bring forward additional housing land and states that:-

'This provision includes the following matters against which any applications would be assessed:

- The Development Strategy (DS1), which effectively seeks to direct to the principal settlements and determine the appropriate scale of development;
- Strategic Considerations (DMG2)
- The presumption in favour of sustainable development (DS2);
- The need to achieve efficient use of land and the priority given to previously developed sites (DMG1)''

23. Whilst the Council has listed the above policies, it does not provide sufficient level of detail as to how new sites will come forward. Indeed, it is not clear how the delivery of uncommitted sites could be brought forward when this is outside of the Council's control, or what this process will involve in practice.

24. The HEDDPD confirms that monitoring is key to ensuring that the document remains up-to-date and sets out that a review of both the CS and HEDDPD will take place by 2019. However, it provides little information over what course of action the Council will take to ensure the Council is able to demonstrate a five year housing land supply over the duration of the plan period. Gladman submit that there is a need for further detail over what corrective action the Council will take should it become apparent that the Council is no longer able to demonstrate a five year housing land supply.

25. Although undertaking a review of the Plan may be necessary this should be seen as the last resort and should the Council commence a review in 2019, this could take some years before the adoption of the Plan, leaving the Council in a precarious situation in which it cannot plan positively to meet any housing shortfall. At the very least the HEDDPD should include a trigger mechanism to ensure any remedial action is taken should monitoring show that the Plan is not enabling the level of development that is required to meet the needs of the area.