

# Land at Pitt Vale, Winchester

## Winchester City Council Local Plan Examination

Response to Inspector's Questions: Matter 2



# Boyer

## Report Control

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# 1. INTRODUCTION

- 1.1 This Statement has been prepared by Boyer on behalf of Linden Homes Strategic in response to the Inspector's questions regarding the Examination in Public of the Winchester Local Plan Part 2.
- 1.2 The statement responds to the following hearing session:
  - Chapter 2: Meeting Development Needs (Matter 2)

## 2. MEETING DEVELOPMENT NEEDS (MATTER 2)

**i) Does the Plan demonstrate that there will be a deliverable supply of developable new housing and employment land in appropriate locations over the plan period, with suitable infrastructure provision, in accordance with the NPPF/PPG and LP Part 1?**

- 2.1 Ensuring the adequate supply and delivery of housing in Winchester District should be a matter of particular importance to this Plan.
- 2.2 The NPPF paragraph 47 requires that Councils identify a five year supply of specific “*deliverable*” housing sites and a supply of specific “*developable*” sites for years 6-10 and, where possible, for years 11-15 with definitions of ‘developable’ and ‘deliverable’ sites outlined in footnote 11 and 12 of the NPPF.
- 2.3 It is vital that LPP2 demonstrates a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements, as required by the NPPF. Otherwise it will be out of date at the point of adoption as specified by paragraph 49 of the NPPF.
- 2.4 It is also important to consider the supply of land to meet the need for particular forms and types of housing. NPPF paragraph 50 states that Local Planning Authorities should plan for a mix of housing taking account of the needs of different groups in the community such as families with children, older people, people with disabilities, service families and people wishing to build their own homes. Linden Strategic Land are keen to ensure that the supply of care home or care village provision for the elderly is considered through the Plan process.

### *Planning Framework Assessments*

- 2.5 The housing supply identified through the Framework Assessments is inherently uncertain and requires greater scrutiny through the plan process to demonstrate that these sites are developable for the quantity of housing indicated within the Plan period.
- 2.6 There are two dimensions to the calculation of five year land supply. First, it is necessary to determine the **housing requirement** that an authority must meet over the five year period. Then it must identify its **housing supply** against that requirement and ensure this is deliverable. We consider each in turn below:

### *The 5-year housing requirement*

- 2.7 Where there is an adopted Local Plan, as in this case, the plan’s overall housing target forms the basis for the 5-year land supply assessment. The housing target for the 2011 to 2031 period is 12,500. The annual equivalent of this is 625 completions per annum, so the 5 year requirement is  $5 \times 625 = 3,125$  for the period 2015-2020. Any shortfall that has accumulated since the start of the Plan period (i.e. between 2011 and 2015) then has to be factored into this requirement.

- 2.8 However, a high court judgement (**the Zurich case**) and an appeal decision (**Denmead**) mean that, in assessing whether there has been a shortfall in housing completions between 2011 and 2015, this judgement should be made against the rate of delivery required by the LPP1 housing trajectory for that period. Based on anticipated completions in the LPP1 trajectory and actual completions, there is a shortfall of 246 dwellings. There is a significant difference between the shortfall if assessed against the annualised target or the LPP1 trajectory. This has been set out in the table below:

2011-2015	1,253 completions
2011-2015 requirement (based on 625p.a)	2,500
2011-2015 requirement (based on trajectory)	1,499
Shortfall against annualised target	1,247
Shortfall against trajectory	246

- 2.9 This shortfall has to be factored into the five year requirement and we consider the most appropriate method to be the Sedgefield Method (to recover the shortfall as soon as possible) as the Sedgefield method is supported in the NPPG (Paragraph 035).
- 2.10 It is clear from NPPF paragraph 47 that a buffer must be applied to the 5-year housing requirement of 5% or 20% where there is evidence of persistent under-delivery of housing. In this case we consider there is evidence of persistent under delivery but, in view of the uncertainty on this point, we have adopted a cautious approach and applied a 5% buffer.

*The 5 year requirement for 2015 - 2020*

- 2.11 The Zurich decision and Denmead appeal have determined that the housing requirement for the 5-year period should be based on the LPP1 trajectory. This trajectory, having projected a low rate of completions in the early years, below the 625 p.a average, predicts an accelerated rate of delivery in later years (above the 625 p.a. average). The Plan relies heavily on this projected increase in delivery rates to meet its housing target.
- 2.12 The total requirement after factoring in the shortfall and 5% buffer is 5,552 as follows:
- |                              |              |
|------------------------------|--------------|
| Basic requirement (2015-20): | 5,049        |
| Add shortfall (239)          | 5,288        |
| Apply 5% buffer              | <b>5,552</b> |
- 2.13 The low rate of completions between 2011 - 2015 has to be compensated by a higher rate of delivery post 2015, as the trajectory in LPP1 shows, or there is a danger that the overall LPP1 housing requirement of 12,500 dwellings will not be met. The 5-year housing requirement should therefore be based upon this essential higher rate of delivery, as calculated above. The logic of the Zurich and Denmead decisions requires this approach.

2.14 Although our purpose here is to focus on the 5-year land supply requirement, the extent of the requirement at this point in the Plan period, indicates the scale of the challenge the Council is now facing to meet its overall LPP1 housing requirement. It suggests, in our view, fundamental problems in the structure and deliverability of the LPP1 land supply that is likely to result in the failure of the Plan in terms of housing supply.

*Housing Supply for the 2015-2020 period*

2.15 The assessment is made by applying the “*deliverable*” test, as set out in the footnote to paragraph 47 of the NPPF, to the key sites upon which the Council will rely for housing completions over the next 5 years.

2.16 We consider that the current housing supply situation in Winchester is resultant from Winchester District Council’s over-reliance on a small number of large sites to deliver a substantial proportion of the housing requirement. The market for new homes is, as a result, concentrated in a limited number of areas. Moreover, the infrastructure demands and general complexity of housing delivery on strategic sites results in delays and the date for first completions is often continually put back to later in the plan period. This problem can be addressed by the identification of additional sites that diversify the supply.

2.17 Our assessment of the Council’s 5 year housing land supply is as follows:

Housing requirement (2015-20) (see para 2.15 above)	5,552 (1,110 p.a.)
Supply as assessed by Intelligent Land	3,289
5 – year supply shortfall	-2,263
Number of years supply	2.96

2.18 We consider that the persistent under-delivery of housing in Winchester is a consequence of the characteristics of the Council’s housing land supply and represents a structural weakness that must be addressed through the development plan process or corrected through decisions on applications for housing development.

2.19 In every Annual Monitoring Report since 2006, the Council has projected completion rates that have not been realised in practice (as is revealed when actual completions data has become available). There has been a tendency in particular for the Council to project rising completion rates over the course of each 5 year monitoring period so that its projected housing supply is always “back end loaded” or skewed to later in the plan period.

2.20 The housing trajectory in LPP1 and the trajectories in Annual Monitoring Reports show low rates of completions overall and on major sites in the early years of the Plan. These trajectories show these rates increasing later in the Plan period.



- 2.21 This slow start in housing supply is not a problem if it is quickly remedied as sites become available and the rate of housing completions increase. However, it becomes a major problem if completions fail to recover to match the required rate. We consider that a low rate of completions has persisted for many years and there is evidence that this will continue.
- 2.22 The consequence of this is that annual completion rates have to reach unrealistically high levels in the later years of the Plan if the housing target is to be achieved. The weakness of this supply is evident in our evidence which suggest that the Council cannot provide a 5 year supply of housing. Ultimately, the achievement of the Plan's overall housing target looks increasingly unlikely to be achieved.
- 2.23 Ultimately, in response to question i) LPP2 does not demonstrate there will be a deliverable supply of new housing in appropriate locations as serious doubts are raised over the ability of Winchester District Council to demonstrate a five year housing land supply or to meet the LPP1 trajectories. The supply of new housing as set out in LPP2 is therefore contrary to the NPPF and LPP1.

### **Winchester Sub Area**

- 2.24 We consider it important to also assess the housing provision within the sub area of Winchester. As stated in LPP2 paragraph 3.3.1, Winchester accommodates around 36% of the District's population and provides about 50% of the total District employment provision. In contrast, Winchester is allocated only 32% of the District's housing requirement as set out in LPP1. Winchester is acknowledged by the Council to be the District's most sustainable location for development. Further, there is currently a mismatch between residents and workers which results in high levels of in-commuting.
- 2.25 We accept that it is not the role of LPP2 to review the District's housing requirement or its apportionment between Winchester, the South Hampshire Urban Areas and the Market Towns and Rural Areas. However, given the above characteristics of the town and the extent of need for affordable housing, the current housing requirement must be seen as a constrained figure. LPP2 should therefore give particular attention to ensuring that the 4,000 homes allocated to Winchester (see paragraph 2.4 of the LPP2) are actually delivered.
- 2.26 The table in paragraph 3.3.1 of the LPP2 explores Winchester's Net Housing Requirement, and we consider each category of development identified in the table below.

#### *Completions: April 2011 to March 2015*

- 2.27 There have only been 349 completions in the Winchester sub area in the first 4 years of the Plan, in comparison with a requirement of 200 per annum. This illustrates the extent of the challenge in bringing forward housing supply within the Winchester area. Please note that figures are based on the 2015-2020 period as the 2015 Annual Monitoring Report is the most recent relevant document on housing supply.

*Outstanding Permissions at 31 March 2015*

- 2.28 The table in paragraph 3.3.1 of LPP2 suggests a significant contribution to housing supply from outstanding permissions. However, the Plan provides no analysis of the viability and deliverability of these permissions. We consider that it would be prudent to more rigorously assess delivery on the key sites. The alternative would be to apply a discount, to allow for non-implementation, to the total supply from permissions recorded in the table.

*SHLAA sites within the settlement boundary*

- 2.29 The Council has not provided the analysis to demonstrate that SHLAA sites within the settlement boundary that do not have permission, can be brought forward for housing within the Plan period.
- 2.30 We do not consider that a sufficient quality of housing has been allocated to the sub area of Winchester City and consider that the focus of LPP2 should be on ensuring that allocated sites in Winchester City are actually delivered.

**ii) Is there clear evidence suitably demonstrating how and why the allocated sites were selected, including in terms of appropriate consultation with the public, representative bodies, neighbouring authorities, service providers and other interested parties?**

2.31 There is no evidence to suggest that assessments of sites at Winchester outside the settlement boundary has occurred through the site selection process. The Plan therefore fails to acknowledge the merits of such sites and this is a failure to consider the plan's preferred method of meeting the Winchester housing requirement against the reasonable alternatives. The Plan therefore fails to meet the 'justified' test set out in NPPF paragraph 182:

*"The plan should be the most appropriate strategy, when considered against the reasonable alternative, based on proportionate evidence".*

2.32 This failure to consider the reasonable alternatives is also apparent from the Plan's evidence base. The Council's Housing Site Assessment Methodology paper 2014 (the methodology paper), paragraph 2.6 states:

*"The housing site assessment methodology therefore considers the remaining 2,000 new homes which are to be achieved through development and redevelopment of existing premises and sites and other opportunities within and adjoining the defined built up area of Winchester"* (Our emphasis)

2.33 The methodology paper does not do this. Nor does it provide an appropriate assessment of the sites that provide development or redevelopment opportunities within the Winchester urban area. The majority of the paper is concerned with the selection methodology for sites within the Market Towns and Rural Areas. The methodology paper therefore fails to provide an assessment of the available opportunities for the delivery of housing at Winchester town. We consider this to be a major omission and failing within the Plan's evidence base.

2.34 Winchester town is also omitted from consideration within the Council's Settlement Boundary Review paper (2014). This states at paragraph 15:

*"The assessment of consents and the capacity of specific sites and windfalls within the existing settlement boundary indicate that there is no need to allocate sites outside the boundary; therefore a full boundary review is not necessary for Winchester town".*

2.35 In light of our serious concerns regarding the Council's five year housing land supply, we challenge the assertion that there is no need to allocate sites outside the urban boundary. However, regardless of the Council's position on this matter, the settlement boundary review should have considered the merits, scope and limitations of a settlement boundary adjustment at Winchester to ensure a rounded and complete assessment of housing

potential. The statement in LPP1 policy WT1 and LPP2 paragraph 2.4 that opportunities will be examined “*within and adjoining*” the built up area of Winchester to deliver 2,000 new homes requires that this assessment be undertaken.

- 2.36 Our conclusion from the above analysis is that the Council pre-determined that sites outside the Winchester settlement boundary would not be considered within LPP2. This is indicated by the failure of the site selection and settlement boundary review processes to consider non-urban sites. The issue of greenfield development at Winchester, beyond the allocation at Barton Farm, is not given any serious consideration.
- 2.37 The Council’s claim that 50% of the Winchester housing requirement can be met from the existing urban area must be tested and examined through the statutory process of LPP2. The lack of any consideration of non-urban sites, or of a settlement boundary review at Winchester, pre-judges the outcome of that assessment. It renders the Plan totally dependent upon its claim that sufficient housing capacity exists and can be delivered from urban sites with no contingency or alternative strategy should that claim prove to be unfounded.

**iii) Does the Plan deal appropriately and sustainably with the likely development needs of the smaller villages and rural area?**

2.38 We have no comment to make on this question.

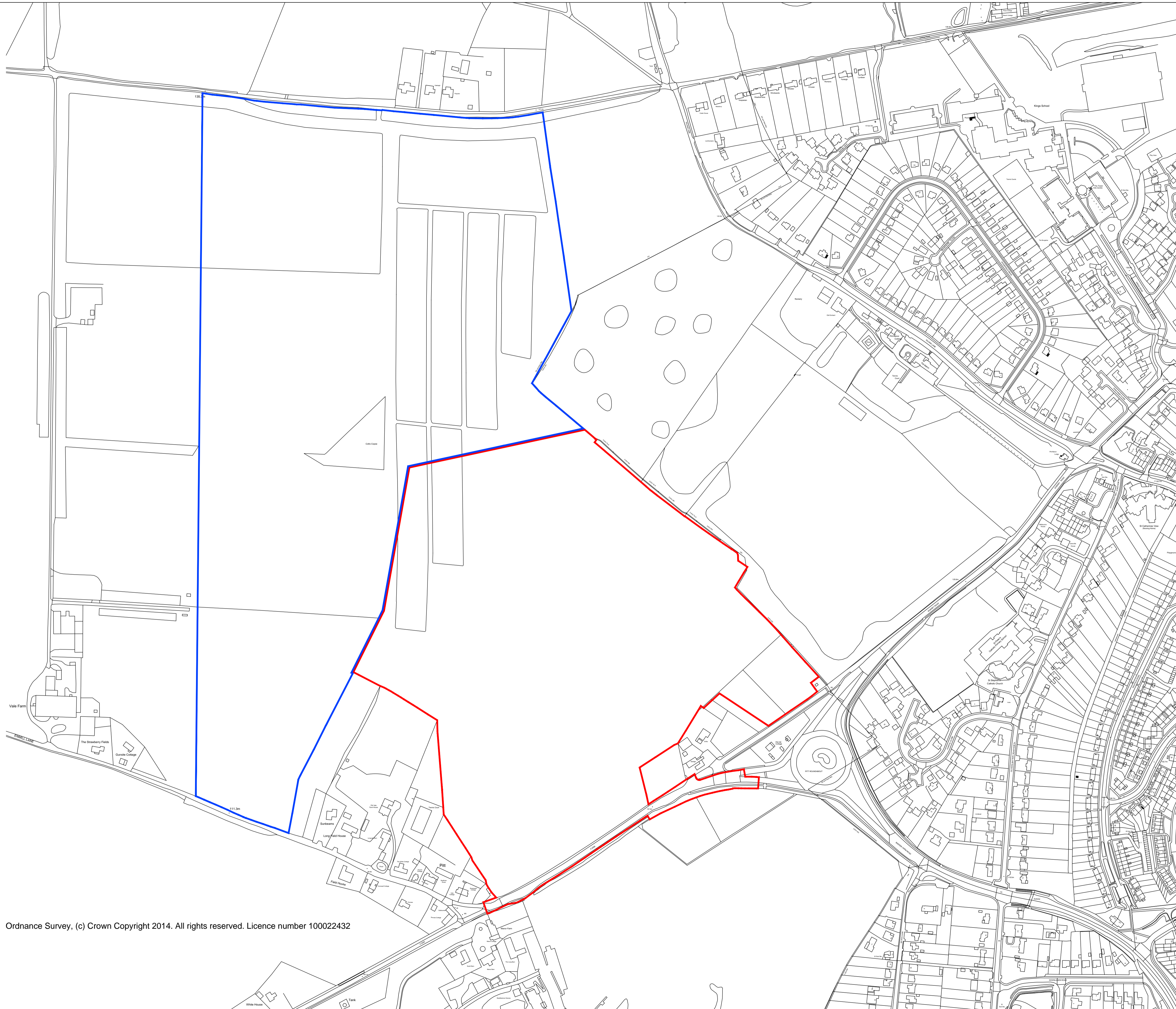
**iv) Should the Plan address contingencies/alternatives, including in relation to the site allocations, in the event that development does not come forward as expected?**

- 2.39 In response to the first question, we have set our serious concerns with the adequate supply of new housing and consider that the Council has a clear shortfall in five year land supply which reflects structural weaknesses in the characteristics of that supply. The extent of the shortfall is significant and can only worsen in the short term. Under the terms of paragraphs 47 and 49 of the NPPF, the Council's shortfall in housing supply is sufficiently serious to render the adopted LPP1 out of date.
- 2.40 In this situation, LPP2 provides the Council with an opportunity to remedy the housing supply shortfall by identifying additional land. It is vital that LPP2 does this to ensure the development plan (LPP1 and LPP2 in combination) is robust in terms of housing delivery.
- 2.41 The alternative is for LPP2 to provide a policy to allow housing land releases via the grant of planning permission within the terms of the presumption in favour of sustainable development set out in paragraph 14 of the NPPF. This would be a positive and pro-active development plan response to the housing land supply shortfall and would bring the remedial measures set out in paragraph 14 of the NPPF within the terms of the development plan.
- 2.42 We consider there is a particular need to identify additional sites at Winchester Town, based on the analysis in response to question 1 of this statement. In that respect, our clients land at Pitt Vale detailed below should be given active consideration for allocation through the LPP2 process.
- 2.43 Our client, Linden Homes Ltd, controls land at Pitt Vale Winchester that consists of approximately 26.5 ha of undeveloped land on the south western edge of Winchester on the Romsey Road, at its junction with the A3090 with the ability to provide up to 350 dwellings. An application was submitted in June 2015 and is still awaiting determination. We suggest that either this site could be allocated through LPP2 to help address the shortfall in the Council's five year housing land supply or planning permission be granted based on paragraphs 14 and 47 of the NPPF.
- 2.44 The application consists of up to 350 dwellings (40% affordable housing), site for a care village, mixed use local centre and 8.35 ha of open space.
- 2.45 The site is well connected to local services such as schools, shops and community facilities which are within walking distance. Winchester city centre is also accessible, being located approximately 3.2km to the east from the central part of the site. Winchester Railway Station is approximately 3.4km from the site. Both the city centre and railway station are accessible by several bus services operating along Romsey Road with stops adjacent to the site.
- 2.46 In terms of the surrounding area, to the east of the site is an open parcel of land known as Pitt Manor, which was granted planning permission in 2012 for 200 residential units and a park and ride facility.

2.47 Pitt Vale is deliverable, as defined through the NPPF footnote 11 and is capable of completing 130-190 dwellings in the 2016-2021 period with more in the 2017-2022 period.

## **APPENDIX ONE – PITT VALE LOCATION PLAN**





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# **APPENDIX TWO – PITT VALE ILLUSTRATIVE MASTERPLAN**

REVISIONS

- A. 2014-10-10. Amendment to the masterplan following clients comments. JR
- B. 2014-10-31. Amendment to masterplan, following team meeting. JR
- C. 2014-11-03. Northern LLAP moved to the East, following team comments. JR
- D. 2014-11-05. Adjustments to the Key and colours. JR
- E. 2014-11-17. Amendment to Sports pitches, buildings, legend and red line. JR
- F. 2014-11-26. Layout Amendments, change of drawing title. JR
- G. 2015-02-02. Links to Pitt Manor differentiated and Calcareous Grassland indicated. MED
- H. 2015-03-03. Play pitch provision removed as agreed with the Local Authority and red line amended and plan updated to suit. MED
- I. 2014-02-17. Main access changed from a roundabout to a junction. JR
- J. 2014-02-19. Emergency access arrow amended following comments. JR
- K. 2014-02-23. Pedestrian access on south eastern boundary changed to a pedestrian/cycle access. MED

LEGEND

- |   |   |
|---|---|
|  Carriageway                     |  Employment-Office Facility              |
|  Mews/ Side Street               |  Employment-Retail/ Community Hub        |
|  Feature Square/ Space           |  Care Village                            |
|  Lane/ Private Drive             |  Extent of Care Village                  |
|  Private Parking Area            |  Mixed Use                               |
|  Footpath/ Cycleway              |  Residential Building                    |
|  Vehicular Access                |  Existing Buildings                      |
|  Vehicle Emergency Access        |  Pumping Station                         |
|  Future Pedestrian/ Cycle Access |  Natural Area of Play(LLAP)              |
|  Existing Tree/ Hedgerow         |  Local Area of Play(LAP)                 |
|  Proposed Tree                   |  Trim Trail and Fitness Gyms             |
|  Proposed Hedgerow              |  Allotments                             |
|  Infiltration Pond             |  Bowling Lawn                          |
|  Drainage Trench               |  Seating                               |
|  Potted Shrub                  |  Enclosed Area of Calcareous Grassland |
|  Raised Planter                |   |

