Gladman Developments Ltd

Representations on

West Oxfordshire District Council

Draft Local Plan 2012

GLADMAN

December 2012
1 INTRODUCTION

1.1.1 Gladman Developments specialise in the promotion of strategic land for residential development with associated community infrastructure. Through this work Gladman have had the opportunity to become involved in a number of Local Plan preparation processes since the National Planning Policy Framework (from here on referred to as the Framework) was brought into force. What has been clear from this experience is that many local authorities have not fully addressed the requirements of the Framework when preparing their Local Plan and this has led to significant concerns being expressed by Inspectors on the soundness of their plans in their current format. The main concerns centre upon the requirement in the Framework to "use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area" (§47).

1.1.2 Ensuring that everyone has access to a decent home is a major focus of the Government and this has been articulated succinctly in the Framework. Greg Clark, in his Ministerial foreword to the Framework stated that "We must house a rising population, which is living longer and wants to make new choices." It is essential therefore, that local authorities respond to this challenge and prepare their Local Plans in a positive way which is fully justified, effective and consistent with national policy.

1.1.3 Gladman Developments is aware that West Oxfordshire District Council is currently in the process of preparing its Local Plan for the period 2011 to 2029. The Council anticipate that they will submit the Local Plan for Examination in summer 2013. These representations have considered West Oxfordshire's Draft Local Plan consultation, with particular focus on the quantum of housing, affordable housing and the proposed spatial distribution of residential development. These representations also consider whether the Local Plan proposals comply with requirements set out in the Framework. Gladman Developments is taking a keen interest in the future of West Oxfordshire, and will be making further representations where appropriate and monitoring the Local Plan preparation process.

1.1.4 Gladman believe that the Draft West Oxfordshire Local Plan is not consistent with the Framework and that the current version would be found unsound at Examination. These representations identify a number of reasons why the Local Plan is not in conformity with Framework and as such should be found unsound. The key concerns highlighted within these representations are as follows:

- The quantum of housing outlined in the three housing options will not meet the ‘full’ needs of the area, despite the local planning authority’s objective to: "Ensure the
timely delivery of new housing to meet forecast needs and support sustainable economic growth” (Draft Local Plan, Policy CO3).

- The proposed spatial distribution of housing would place an over reliance on the delivery of Witney and Carterton sub-areas.
- The proposed housing targets will fail to address the acute affordable housing need within the District.

2 NATIONAL PLANNING POLICY FRAMEWORK

2.1.1 The Framework has been with us now for just over six months and the industry is beginning to get to grips with its application and the need for some fundamental changes in the way in which planning operates.

2.1.2 The whole tone of the Framework is centred on delivering sustainable development and there is a clear recognition that development means growth. §14 of Framework states:

“At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

For plan-making this means that:

- Local planning authorities should positively seek opportunities to meet the development needs of their area;
- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:

  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
  - Specific policies in this Framework indicate development should be restricted.”

2.1.3 The Framework requires that the supply of housing needs to be significantly boosted and that local planning authorities should use their evidence base to ensure that their Local Plan meets the “full, objectively assessed needs for market and affordable housing” in the housing area (§47 Framework).

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2.1.4 §158 of the Framework goes on to state:

"Each local planning authority should ensure that the Local Plan is based on adequate up to date and relevant evidence...Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals."

2.1.5 §159 of the Framework states:

"Local planning authorities should have a clear understanding of housing needs in their area. They should:

• Prepare a Strategic Housing Market Assessment to assess their full housing needs, working with neighbouring authorities where housing markets cross administrative boundaries..."

2.1.6 Having regard to the examination of Local Plans, §182 of the Framework sets four criteria for a plan to be found 'sound'. This includes a requirement for the plan to be 'consistent with national policy' and states that the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

2.1.7 It is imperative that the West Oxfordshire Local Plan embraces the Framework’s aspirations to facilitate growth. This is particularly relevant when considering the quantum of residential development to be delivered during the plan period. Gladman believe that in its current form the West Oxfordshire Local Plan is contrary to the Framework on a number of counts and as a result would be found unsound at Examination.

3 QUANTUM OF HOUSING

3.1.1 The whole tone of Framework is centred on delivering sustainable development and there is clear recognition that development means growth. In order to ensure that this is delivered, the Framework highlights that the supply of housing needs to be significantly boosted and that local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the area (Framework §47).

3.1.2 The process of undertaking an objective assessment of housing need is clearly set out in the Framework principally in §14, §47, §152 and §159 and should be undertaken in a systematic and transparent way to ensure that the plan is based on a robust evidence base.
3.1.3 The starting point for this assessment is set out in §159 which requires local planning authorities to have a clear understanding of housing needs in their area. This involves the preparation of a Strategic Housing Market Assessment (SHMA) working with neighbouring authorities where housing market areas cross administrative areas. The Framework goes on to set out the factors that should be included in a SHMA including “the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which:

- Meets household and population projections taking account of migration and demographic change;
- Addresses the need for all types of housing including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and
- Caters for housing demand and the scale of housing supply necessary to meet this demand.” (§159 of the Framework)

3.1.4 Key points that are worth noting from the above is that the objective assessment should identify the full need for housing before the Council undertake any process of assessing the ability to deliver this figure. In addition, §159 specifically relates to catering for both housing need and housing demand within the authority area. It is worth pointing out that any assessment of housing need and demand within a SHMA must also consider the following factors; falling household formation rates, net inward migration, the need to address the under provision of housing from the previous local plan period, the preliminary results of the Census 2011, housing vacancy rates including the need to factor in a 3% housing vacancy rate for churn in the housing market, economic factors to ensure that the economic forecasts for an area are supported by sufficient housing to deliver economic growth, offsetting a falling working age population by providing enough housing to ensure retiring workers can be replaced by incoming residents, addressing affordability and delivering the full need for affordable housing in an area.

3.1.5 It is our understanding that a majority of the SHMAs that were prepared under the current guidance on SHMA preparation are not Framework compliant and do not consider the full range of factors that are outlined in §159 of the Framework. This is causing significant problems for authorities currently at Examination and therefore, to avoid this issue, SHMAs should be updated to take account of the Framework and ensure plans are based on robust and up-to-date evidence. Indeed, the Government have noted the deficiency in SHMAs and are updating the guidance on SHMA preparation to fully reflect the guidance given in the Framework.
3.1.6 Following the exercise to identify the full, objectively assessed need for housing in an area, the local planning authority should then seek to undertake the assessment outlined in §152 of the Framework. This states that "Local planning authorities should seek opportunities to achieve each of the economic, social and environmental dimensions of sustainable development, and net gains across all three. Significant adverse impacts on any of these dimensions should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where adverse impacts are unavoidable, measures to mitigate the impact should be considered. Where adequate mitigation measures are not possible, compensatory measures may be appropriate." This statement clearly sets out that local planning authorities should seek to deliver the full, objectively assessed need and that this should be tested through the evidence base. Only where the evidence shows that this is not achievable should they then test other options to see if any significant adverse impacts could be reduced or eliminated by pursuing these options. If this is not possible then they should test if the significant adverse impacts could be mitigated and where this is not possible, where compensatory measures may be appropriate.

3.1.7 The final stage of the process is outlined in §14 and involves a planning judgement as to whether, following all of the stages of the process outlined above, “any adverse impacts of meeting the objectively assessed needs would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole or specific policies in this Framework indicate development should be restricted.” It is also worth noting that the final part of this sentence refers to footnote 9 which sets out the types of policies that the Government consider to be restrictive. These include "sites protected under the Birds and Habitat Directive (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion”. Although this list is not exhaustive it is clear that local landscape designations, intrinsic value of the countryside, the character of areas, green gaps etc. are not specifically mentioned as constraints.

3.1.8 The West Oxfordshire Local Plan consultation outlines three housing growth options for the plan period:

- **Low growth scenario (4,000 homes)** based on ‘natural change’ in population
- **Medium growth scenario (5,500 homes)** based on the South East Plan targets
- **High growth scenario (6,700 homes)** based on the number of homes needed to maintain the predicted economic workforce post 2016.
3.1.9 Through the Local Plan consultation West Oxfordshire are proposing to progress with the medium growth target of 5,500 homes to be delivered over the plan period (2011-2029).

3.1.10 **Gladman believe that the proposed housing target of 5,500 dwellings over the plan period (305.5 dwelling per annum) is not a true reflection of the ‘full, objectively assessed needs’ of the District.** The proposed housing target is arbitrarily low. The Oxfordshire SHMA (2008) identifies an annual affordable housing need of 428-496 dwellings in West Oxfordshire, and an annual demand for market housing of 1311-1347. Furthermore, the more recent West Oxfordshire Housing Needs Assessment (HNA) (2011) calculates an overall annual affordable shortfall of 492 dwellings per annum. The proposed 5,500 dwellings over the plan period equates to an annual target of 305 dwellings which is significantly lower than the identified annual affordable housing need alone.

3.1.11 If the housing target taken forward cannot address the identified local needs, then the Local Authority is in effect planning to fail. A draft plan proposing a housing requirement that does not meet the full objectively assessed needs for both market and affordable homes, is working towards a plan that cannot be found ‘sound’ at Examination as it will be contrary to the requirements of §47 and §152 of the Framework (as outlined previously in these representations).

3.1.12 The housing growth options proposed in the Local Plan consultation document are inherently contradictory to the whole tone of the Framework. The proposed quantum of development does not look to address the level of need identified in the 2008 SHMA and as such will not significantly boost the supply of housing, which is a key objective of the Framework. The Local Plan does not appear to detail the adverse impacts that would be caused by addressing the ‘full’ housing needs of the District. As outlined in §14 of the Framework, the local planning authority should be able to demonstrate how any adverse impacts of meeting the full housing need would significantly and demonstrably outweigh the benefits if the housing target they are proposing does not address the objectively assessed needs.

3.1.13 Whilst the Localism Act now advocates a shift away from top down housing targets, it is clearly stated in §159 of the Framework that any new locally derived housing targets should be based on robust evidence and that the use of accurate and up to date information will still be essential in the consideration of a new housing requirement.
3.1.4 Housing need will not be satisfied and growth constrained if West Oxfordshire District Council fail to adopt an appropriate housing target based on the full, objectively assessed needs. Further adverse consequences of not meeting the identified need could include:

- The outward migration of people who currently live in West Oxfordshire due to the lack of available and suitable affordable homes;
- Slow growth of the local economy resulting from a limited population to support the viability and vitality of local shops, business, leisure assets and educational establishments;
- The loss of economic benefits created by housing, including work for the local labour force; and
- The inability to regenerate and improve the local area due to the lack of investment.

4 ADDRESSING AFFORDABILITY

4.1.1 The provision of affordable housing is often one of the main priorities that local authorities seek to address through their Local Plan/Core Strategy. The West Oxfordshire Local Plan consultation makes it clear that the delivery of affordable housing is a key priority of the area. Policy CO4 states “Plan for an appropriate mix of new residential accommodation which provides a variety of sizes, types and affordability with special emphasis on the provision of homes for local people in housing need who cannot afford to buy or rent at market prices...”

4.1.2 However, the only way to improve affordability for those people in housing need is to provide housing. If the SHMA suggests that a certain level of affordable housing is required, and the local authority are not seeking to address that need in full, then the only possible result is that the affordability gap will get worse. Housing requirements should therefore reflect the full need for affordable housing provision, as required by §47 of Framework, if addressing affordability is to be achieved.

4.1.3 The 2008 Oxfordshire SHMA identifies an annual affordable housing need of 428-496 dwellings in West Oxfordshire, and an annual demand for market housing of 1311-1347. The 2011 HNA is the most up to date study in assessing housing needs in West Oxfordshire, and is the primary document within the evidence base used to inform the housing targets proposed in the draft Local Plan. The CLG model calculates an overall annual affordable shortfall of 492 dwellings per annum. The HNA goes on to calculate the affordable need based on dealing with the backlog over a five year period, this suggests an increased level

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2 West Oxfordshire District Council (2012) Draft Local Plan, p.34.
of need (592 units for the next five years). It is clear from the evidence provided within the HNA that the overall housing delivery target for West Oxfordshire does not represent the ‘full’ housing needs in the District and will fail to address affordability.

4.1.4 In practice it is more realistic to make the assumption that of the overall housing delivered per annum, roughly one third of this will be affordable dwellings. Therefore, if the target of 305 dwellings per annum is taken forward, this is likely to yield in the region of 100 affordable dwellings per annum, nearly five times less than the annual affordable need within the HNA. If the housing target cannot address the identified needs of the District then the local planning authority is in effect planning to fail.

4.1.5 The draft Local Plan is proposing a differential approach in relation to the affordable housing requirements across the District. The proposals set within Core Policy 8 are as follows:

- Carterton – 35% affordable housing
- Witney – 40% affordable housing
- The rest of the District – 50% affordable housing

4.1.6 Gladman raise significant concerns in relation to the proposed affordable housing requirements. Affordable housing need should not be, and is unlikely to be met by having an unrealistic affordable housing requirement to compensate for an arbitrary low housing target. Gladman believes that the proposed requirement to deliver 50% affordable housing in the rest of the District (outside of Carterton and Witney) is excessive and unrealistic. Furthermore, this policy will be detrimental to future development, as 50% affordable housing will change the character and mix of housing developments and may cause a significant impact on the viability of schemes. There is no evidence to suggest that the 50% requirement should be delivered consequently Gladman believe that this policy is unsound. Gladman believe that the delivery of housing schemes would become more viable if the affordable housing percentage requirement is reduced and increased numbers of housing developments within the District are permitted.

5 EVIDENCE BASE

5.1.1 Gladman recognise that West Oxfordshire District Council had a Housing Needs Assessment report published in 2011; however this was prior to the adoption of the Framework. As such Gladman believe that the SHMA needs updating so that it provides the robust evidence needed to determine the ‘full’ housing need of the District and set an appropriate housing target in relation to this. This would then enable the Local Plan to be in accordance with §158 and §159 of the Framework.
5.1.2 Local Plans need to be predicated on a robust and clearly evidenced assessment of ‘full’ housing need of an area. The SHMA should take account of both market and affordable housing need within an area.

5.1.3 Since the original work on the West Oxfordshire Housing Needs Assessment 2011 was undertaken, there have been a number of data releases relating to West Oxfordshire’s population and households, these should be taken into consideration when determining the population projections and subsequent housing requirements.

- ONS Sub National Population Projections (SNPP) 2010 based which were released in March 2012
- Census 2011 first release data on population and households in the borough released in summer 2012.
- Forthcoming household projections that will be released by Communities and Local Government in 2013

5.1.4 Gladman believe that the SHMA needs to be updated to take full account of requirements set in the Framework and the more recent data releases.

6 SPATIAL DISTRIBUTION

6.1.1 The Spatial strategy for West Oxfordshire should be based on findings in the evidence base, namely the SHMA. It should not be a politically driven spatial strategy to put a disproportionate amount of housing in areas where people don’t want and will not live.

6.1.2 Within West Oxfordshire there are a number of different and district housing market areas. Each of these distinct areas will have their own requirement for housing and this should be reflected in the spatial distribution of housing supply within the Local Plan. If the spatial distribution does not reflect need/demand as shown by the evidence base, then the housing will not be delivered and the Plan will not be implemented. Following a dispersed spatial distribution pattern across a large number of settlements is also undesirable as this approach is not likely to be sustainable, will not be delivered and cannot generate the level of community benefits that larger sites can that help to make settlements more sustainable and fill important gaps in community provision.

6.1.3 Core Policy 6 outlines the proposed spatial strategy for West Oxfordshire. This policy splits the district into the following sub areas and distributes housing growth between these as follows:
- **Witney sub-area – 1,900 new homes** (including 1,000 in the West Witney Strategic Development Area, 300 in the East Witney Strategic Development Area and the remainder provided through 368 existing commitments and 250 on other sites)
- **Carterton sub-area – 1,850 new homes** (including 700 in the East Carterton Strategic Development Area, 400 in REEMA North and Central with the remainder provided through 315 existing commitments and 440 on other sites)
- **Chipping Norton sub-area – 600 new homes** (including 226 on existing commitments with the remaining 375 delivered through Chipping Norton Neighbourhood Plan and other sites).
- **Eynsham - Woodstock sub-area – 450 new homes** (including 172 existing commitments with the remaining 280 provided on other sites)
- **Burford – Charlbury sub-area – 350 new homes** (including 116 existing commitments with the remaining 235 provided on other sites).

6.1.4 The Framework promotes that the purpose of the planning system is to contribute to the achievement of sustainable development. The delivery of growth to key settlements with established sustainability credential would create sustainable communities that have good access to a range of jobs, housing, community facilities and key services and infrastructure.

6.1.5 It is recognised that it will not be possible for all development to be accommodated within the main settlements and therefore some development, appropriately designed and of a scale and kind that is benefiting of the rural villages should be encouraged. This will help to sustain village life and breathe impetus into the rural communities. An example of a village that could take such growth would be Bampton.

6.1.6 Gladman raise concern over the proposed distribution of housing across the District. In particular the high level of growth directed to Witney. The Council outline within the summary of the Witney sub area in the draft Local Plan, that Witney has seen major growth over the last 30 years without adequate infrastructure improvements. Gladman would therefore raise concerns over whether the infrastructure within the town is able to accommodate this level of growth proposed, this point is compounded further by the failure to progress the Cogges Link Road,

6.1.7 A large proportion of the proposed housing requirement is due to come forward through Strategic Development Areas (SDAs). The general concept of large scale sites such as these SDAs are in keeping with the golden thread of sustainable development running through the Framework; however the rate at which these will deliver housing needs to be considered in a realistic manner. Realistic lead in times need to be accounted for as the development of
these larger sites is likely to require significant infrastructure to be completed prior to the delivery of any houses on site. Underestimating lead in times could significantly affect the ability of the plan to deliver.

6.1.8 Gladman believe that further consideration should be given to the distribution of growth across the District to ensure that the policy is justified, reflects the identified needs and will have the potential to lead to the housing requirement being successfully delivered.

7 SUMMARY

7.1.1 §182 of the Framework outlines the tests of soundness for a Local Plan, this includes that a plan should be positively prepared, justified, effective and consistent with national policy. As outlined within these representations, the West Oxfordshire Local Plan in its current form does not comply with paragraphs 47,152,158 and 159 of the Framework and as such will not be found sound at Examination.

7.1.2 In Gladman’s view the Local Plan is questionable on a number of counts. The key points raised within these representations that Gladman believe require further consideration in the Local Plan preparation process are as follows:

- **Quantum of housing** – The proposed quantum of housing does not reflect the identified needs (as required by §47 of the Framework) and the Council do not demonstrate how delivery at the scale required to meet the need would result in "adverse impacts that would significantly and demonstrably outweigh the benefits" (§14 of the Framework).

- **Affordable housing requirement** – The proposed overall housing requirement does not stand a realistic chance of addressing the affordable housing needs in the District. The proposed affordable housing percentage requirement, particularly the 50% requirement for all areas outside Witney and Carterton is unrealistic and unjustified. This high level of requirement may result in adverse effects of reducing viability and in turn restricting housing delivery.

- **Evidence Base** – Although West Oxfordshire produced a Housing Needs Assessment in 2011, Gladman believe that the Council should undertake a full review of the SHMA in light of the requirements set in the Framework and the release of more up to date population and household projections.
**Spatial Distribution** – The spatial distribution of housing should reflect the needs of the District. Growth should be directed to key settlements with established sustainability credentials, creating or enhancing sustainable communities that have access to a range of jobs, housing, community facilities and services. Further consideration should be given to spatial distribution to ensure that the policies within the Local Plan have the ability to be implemented.