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Babergh Development Framework

Core Strategy Examination

Representations on behalf of:

Meruit Developments Ltd.

Land at Capel St. Mary (ref. MD3)

Babergh Core Strategy Examination

Representations on behalf of Meruit Developments Ltd

SUMMARY

- i. With a particular focus on housing provision, these additional Representations highlight a severe conflict between the level of growth proposed in the Core Strategy and that required by the National Planning Policy Framework.**
- ii. It is clear that Policy CS2 will fall significantly short of meeting the full objectively assessed needs for market and affordable housing across the District.**
- iii. We have found no evidence to demonstrate that the proposed under-provision of housing will be offset by growth beyond the District boundary through cooperation with neighbouring authorities.**
- iv. We highlight an apparent bias in the Council's Sustainability Appraisal of housing growth options previously tabled in the October 2010 consultation.**
- v. Finally, we calculate that Policy CS2 will create an imbalance between housing and job provision within the District, leading to an unsustainable pattern of development and increased levels of in-commuting.**

MAIN REPRESENTATIONS

- 1. These additional Representations relate solely to the implications of Parliament's revocation of the East of England Regional Strategy (EEP) on 3rd January 2013 and supplement those earlier Representations submitted on behalf of Meruit Developments in relation to the Core Strategy Submission Draft**

consultation in October 2011 and the Proposed Modifications consultation in August 2012.

Housing Growth: Policy CS2

2. Following Parliament's revocation of the EEP, the Council must ensure that its policies for housing are based on a locally derived target which meets the requirements of Section 6 of the National Planning Policy Framework (NPPF). We draw particular attention to paragraph 47 which states (with our emphasis):-

"To boost significantly the supply of housing, 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 market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period...*" (NPPF, para. 47)

3. Our earlier Representations were highly critical of the Council's decision to plan for the delivery of less housing than required by EEP Policy H1 and also its decision to significantly increase the allowance for windfalls in its housing calculations which has the effect of reducing the need to make new housing allocations. However, we acknowledge that circumstances have now changed insofar as regionally derived top-down housing requirements have been revoked. Nevertheless, and as highlighted above, the NPPF is clear that locally derived housing targets must be geared to address the full objectively assessed needs for market and affordable housing.
4. We need look no further than the October 2010 consultation document '*The Future Growth of Babergh District to 2031*' to obtain an objective assessment of housing needs as this has already been undertaken by the Council in support of housing growth *Scenario 2*. Based on projected household growth and affordable housing completions in recent years, the Council calculated a need for 10,406 market and affordable dwellings over the Plan period.

5. With this evidence to hand, it is therefore unclear why Policy CS2 seeks to provide just 5,975 dwellings over the Plan period as this represents only 57% of identified need. Furthermore, we have found no evidence to demonstrate that such a significant under-provision of housing will be offset by allocations beyond the District boundary as part of a duty to cooperate with neighbouring authorities. It follows, therefore, that Policy CS2 is inconsistent with national policy and must be regarded as **unsound** in principle.

Sustainability Appraisal

6. Notwithstanding the above, it is prudent to explore why *Scenario 2* (which was the only scenario geared to address full market and affordable housing needs) was not selected as the Council's preferred strategy for housing growth. Indeed, the NPPF requires that the housing needs are met in full, but only insofar as this would be consistent with other policies in the Framework. In other words, *Scenario 2* should only be pursued if it can be demonstrated that the provision of 10,406 dwellings can be delivered in a way that follows the principles of sustainable development.
7. Our attention is therefore drawn to the Council's Sustainability Appraisal (SA) which assessed four possible housing growth options including *Scenario 2*. The conclusions of the SA are set out on pages 6 and 7 of the Main Report (September 2011) and state, inter alia, that:-

“The most moderately to significantly negative effects were identified for Scenario 2 although a few moderately positive to significantly positive effects were also identified...”

8. On first glance, it appears that the negative effects of *Scenario 2* were judged to outweigh the perceived positive effects. However, a close inspection of the SA matrix (Table 10.1 - reproduced in full at **Annex 1**) reveals an apparent bias in favour of *Scenario 1* (i.e. that closest to the Council's preferred strategy). To

illustrate this bias, we draw particular attention to the following (as elaborated at **Annex 2**):-

- Scenario 1 is awarded two positive (++) marks for its ability *‘to maintain and improve levels of education and skills in the population overall’* whereas Scenarios 2-4 are each awarded a neutral score (0).
 - Scenario 1 is awarded (+++) for its ability *‘to offer everybody the opportunity for rewarding and satisfying employment’* whereas Scenarios 2-4 are each awarded a neutral score (0).
 - Scenarios 1, 3 and 4 are each scored (-) for their ability *‘to reduce the effects of traffic on the environment’* whereas Scenario 2 is scored (---).
 - Scenario 1 is awarded (+++) for its ability *‘to achieve sustainable levels of prosperity and economic growth throughout the plan area’* whereas Scenarios 2-4 are each scored (0).
 - Scenario 1 is awarded (++) for its ability *‘to revitalise town centres’* whereas Scenarios 2-4 are each awarded a neutral score (0).
 - Scenario 1 is awarded (+++) for its ability *‘to encourage efficient patterns of movement in support of economic growth’* whereas Scenarios 2-4 are each scored (0).
 - Finally, there can be no justification for scoring Scenario 1 (+++) for its ability *‘to encourage and accommodate both indigenous and inward investment’* but to award Scenarios 2-4 a neutral score (0).
9. In light of the above, we submit that very little weight can be given to the Council’s SA which appears to have been contrived to promote the selection of *Scenario 1* as the preferred housing growth option. We have therefore produced a more objective assessment of the growth options which we enclose as **Annex 3**. It will be seen that our amended Table 10.1 shows a clear preference for *Scenario 2* with a total score of (+8) positive marks. On this basis, and having regard to NPPF paragraph 47, we conclude that *Scenario 2* represents the most appropriate housing growth option and that the under-provision of housing proposed in Policy CS2 is not supported by robust evidence.

Balancing Housing and Employment Growth

10. Finally, and as set out in paragraph 2.36 of the October 2010 consultation document, we acknowledge and support the need to strike a balance between housing and employment in order to facilitate sustainable patterns of growth. To this end, and without prejudice to the findings of our amended SA, a strategy such as *Scenario 2* which seeks to meet 100.0% of housing need can only be considered sustainable if it is matched by an appropriate level of job provision.
11. Returning to the October 2010 consultation document, paragraph 2.38 confirms that the current homes to jobs ratio within the District is 90:100 (or 0.9) and we agree that this represents a good balance between employment and housing. We are further concerned, therefore, to discover that Policy CS2 seeks to create an additional 9,700 jobs over the Plan period.
12. In order to maintain the current homes to job ratio, this level of job provision – which we support - would need to be matched by a total of 8,730 new homes (calculated as 9,700 multiplied by 0.9). To this end, we consider that Policy CS2 will serve only to create an imbalance between housing and employment, leading to increased levels of in-commuting from settlements beyond the District boundary.

CONCLUSION

13. Policy CS2 will provide for just over half of identified housing needs and is therefore **inconsistent with national policy** contained in NPPF (paragraph 47). We have found no credible evidence to support the Council's decision to pursue such an under-provision of housing which we regard as **unjustified** in the context of alternative and more appropriate growth options previously tabled in October 2010. Finally, we submit that Policy CS2 is **not positively prepared** having regard to the need to balance employment and housing growth to promote sustainable patterns of growth. For these reasons, we submit that the Core Strategy is unsound.

Annex 1

**Core Strategy Submission Draft
Sustainability Appraisal Main Report September 2011**

Table 10.1 - Summary of Significance of Direct Effects of Growth Options

Babergh District Council Local Development Framework

Core Strategy Submission Draft

Sustainability Appraisal Report

Main Report
September 2011

10.9 Table 10.1 presents a summary of the significance of direct effects from the detailed appraisal.

Table 10.1 - Summary of Significance of Direct Effects of Growth Options

SA Objective		Housing				Employment			
		Scenario 1	Scenario 2	Scenario 3	Scenario 4	Scenario 1	Scenario 2	Scenario 3	Scenario 4
1	To improve the health of the population overall	+	+	+	+	+	+	+	+
2	To maintain and improve levels of education and skills in the population overall	++	0	0	0	+	++	++	+
3	To reduce crime and anti-social activity	+	+	+	+	+	+	+	+
4	To reduce poverty and social exclusion	++	++	+	+	+	++	++	+
5	To improve access to key services for all sectors of the population	++	++	+	+	+	++	++	+
6	To offer everybody the opportunity for rewarding and satisfying employment	+++	0	0	0	++	+++	++	++
7	To meet the housing requirements of the whole community	++	+++	+	+	0	0	0	++
8	To improve the quality of where people live and to encourage community participation	+	+	+	+	+	+	+	+
9	To maintain and where possible improve water quality	-	-	-	-	-	-	-	-
10	To maintain and where possible improve air quality	-	-	-	-	-	-	-	-

SA Objective		Housing				Employment			
		Scenario 1	Scenario 2	Scenario 3	Scenario 4	Scenario 1	Scenario 2	Scenario 3	Scenario 4
11	To conserve soil resources and quality	---	---	-	-	-	---	--	-
12	To use water and mineral resources efficiently, and re-use and recycle where possible	-	-	-	-	-	-	-	-
13	To reduce waste	-	-	-	-	-	-	-	-
14	To reduce the effects of traffic on the environment	-	---	-	-	-	-	-	-
15	To reduce emissions of greenhouse gases from energy consumption	--	---	-	-	-	--	--	-
16	To reduce vulnerability to climatic events	-	-	-	-	-	-	-	-
17	To conserve and enhance biodiversity and geodiversity	--	---	-	-	-	--	--	-
18	To conserve and where appropriate enhance areas of historical and archaeological importance	-	-	-	-	-	-	-	-
19	To conserve and enhance the quality and local distinctiveness of landscapes and townscapes	-	-	-	-	-	-	-	-
20	To achieve sustainable levels of prosperity and economic growth throughout the plan area	+++	0	0	0	++	+++	+++	+
21	To revitalise town centres	++	0	0	0	++	+++	++	+
22	To encourage efficient patterns of movement in support of economic growth	+++	0	0	0	++	+++	+++	+
23	To encourage and accommodate both indigenous and inward investment	+++	0	0	0	++	+++	++	+

Annex 2

Apparent bias in Table 10.1

- SA Objective 2:** Scenario 1 is awarded two positive (++) marks for its ability *‘to maintain and improve levels of education and skills in the population overall’* whereas Scenarios 2-4 are each awarded a neutral score (0). There appears to be no rationale behind this assessment.
- SA Objective 6:** Scenario 1 is awarded (+++) for its ability *‘to offer everybody the opportunity for rewarding and satisfying employment’* whereas Scenarios 2-4 are each awarded a neutral score (0). Given that the housing and employment scenarios were assessed independently, we can see no reason why Scenario 1 (or any of the housing scenarios for that matter) can be said to improve employment opportunities other than those generated directly by the house building industry.
- SA Objective 14:** Scenarios 1, 3 and 4 are each scored (-) for their ability *‘to reduce the effects of traffic on the environment’* whereas Scenario 2 is scored (---). We consider that compliance with this particular objective is dependent on the chosen locations for growth and the ability of strategic developments to deliver infrastructure and public transport improvements. We therefore see no reason why Scenario 2 should be scored differently to Scenarios 1, 3 and 4.
- SA Objective 20:** Scenario 1 is awarded (+++) for its ability *‘to achieve sustainable levels of prosperity and economic growth throughout the plan area’* whereas Scenarios 2-4 are each scored (0). Prosperity and economic growth are dependent on the creation of employment opportunities and the ability of the Plan to facilitate choice and flexibility in the market for development land. We therefore question why Scenario 2 – which would provide for higher levels of growth – should not be awarded equal, if not higher, marks than Scenario 1.
- SA Objective 21:** Scenario 1 is awarded (++) for its ability *‘to revitalise town centres’* whereas Scenarios 2-4 are each awarded a neutral score (0). However, the revitalisation of town centres is secured through a

combination of regeneration projects (on a finite number of sites) and public and private investment. We therefore fail to understand why positive marks are awarded only to Scenario 1.

- **SA Objective 22:** Scenario 1 is awarded (+++) for its ability '*to encourage efficient patterns of movement in support of economic growth*' whereas Scenarios 2-4 are each scored (0). Efficient patterns of movement are encouraged by locating new housing close to existing and future employment centres and by securing new and improved transport and communications infrastructure on the back of strategic development. We therefore dispute the scoring of all four Scenarios against this objective.
- **SA Objective 24:** Finally, there can be no justification for scoring Scenario 1 (+++) for its ability '*to encourage and accommodate both indigenous and inward investment*' but to award Scenarios 2-4 a neutral score (0). All four housing growth options would encourage indigenous and inward investment in the District whereas Scenario 2 is perhaps best placed to accommodate inward investment by providing for higher levels of growth.

Annex 3

Edward Gittins & Associates – Amended SA Table 10.1

Table 10.1 – Amended by Edward Gittins & Associates

*Closest to Submission Core Strategy target (5,973 dwellings)

SA Objective		Housing				Comments
		Scenario 1 (B) 5,768*	Scenario 2 10,406	Scenario 3 1,900	Scenario 4 2,150	
1	To improve the health of the population overall	+	+	+	+	No change.
2	To maintain and improve levels of education and skills in the population	++	+++	+	+	We consider that education opportunities will increase proportionately to the level of growth and investment.
3	To reduce crime and anti-social activity	+	+	+	+	No change.
4	To reduce poverty and social exclusion	++	+++	+	+	Scenario 2 would meet all future market and affordable housing needs for the plan period.
5	To improve access to key services for all sectors of the population	++	+++	+	+	Higher levels of growth would incentivise investment in new and improved key services.
6	To offer everybody the opportunity for rewarding and satisfying employment	0	0	0	0	None of the housing scenarios would create direct employment opportunities.
7	To meet the housing requirements of the whole community	++	+++	+	+	No change.
8	To improve the quality of where people live and to encourage community participation	+	+	+	+	No change.
9	To maintain and where possible improve water quality	0	0	0	0	It is unlikely that growth would be supported at locations where there is a risk to water quality

10	To maintain and where possible improve air quality	-	-	-	-	No change.
11	To conserve soil resources and quality	--	---	-	-	Scenario 1 would result in the loss of fewer greenfield/soil resources.
12	To use water and mineral resources efficiently, and re-use and recycle where possible	-	-	-	-	No change.
13	To reduce waste	-	-	-	-	No change.
14	To reduce the effects of traffic on the environment	--	---	-	-	Scenario 1 is likely to create more traffic movements than Scenarios 3 and 4 but less than Scenario 2
15	To reduce emissions of greenhouse gases from energy consumption	--	---	-	-	No change.
16	To reduce vulnerability to climatic events	-	-	-	-	No change.
17	To conserve and enhance biodiversity and geodiversity	--	---	-	-	No change.
18	To conserve and where appropriate enhance areas of historical and archaeological importance	-	-	-	-	No change.
19	To conserve and enhance the quality and local distinctiveness of landscapes and townscapes	-	-	-	-	No change.
20	To achieve sustainable levels of prosperity and economic growth throughout the plan area	++	+++	+	+	Economic growth would be facilitated/encouraged through further opportunities for development.
21	To revitalise town centres	++	++	++	++	All four scenarios have the potential to revitalise town centres – regeneration sites are a preferential but finite resource.

22	To encourage efficient patterns of movement in support of economic growth	++	+++	+	+	Efficient patterns of movement are dependent on the location of housing development relative to existing and future employment. Larger quantities of growth would incentivise mixed use schemes where employment and housing are located in close proximity.
23	To encourage and accommodate both indigenous and inward investment	++	+++	+	+	Scenario 2 would encourage greater inward investment than Scenarios 1, 3 and 4.
Totals		+5	+8	+2	+2	