



Fenland District Council

**FENLAND CORE STRATEGY
DEVELOPMENT PLAN DOCUMENT
(Proposed Submission Version)**

Addendum relating to North-East March Allocation

Representation Form

Please return your completed form by one of the following methods:

By post to: Neighbourhood Strategy (Planning Policy) Team,
Fenland District Council, Fenland Hall, County Road,
March, Cambridgeshire, PE15 8NQ

By e-mail to: neighbourhoodstrategy@fenland.gov.uk

Representations must be received by 5pm on Wednesday 7th August 2013

Representations should relate only to the Addendum. This is not an opportunity to submit representations on the remainder of the Proposed Submission Version of the Core Strategy. Previous representations made on the Proposed Submission Version will be taken into account and forwarded to the Planning Inspectorate. It is therefore not necessary to repeat representations previously made.

PART A: PERSONAL DETAILS

Signature: <i>n.penfold</i>	Date: 07.08.13
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1. Personal Details*

2. Agent's Details (if applicable)

**If an agent is appointed, please complete only the Title, Name and Organisation boxes in the first column below, but complete the full contact details of the agent in the second column.*

Please note that as this is a public consultation your details and comments will be available for others to see.

Title	Miss	
First Name	Nicole	
Last Name	Penfold	
Job Title (where relevant)	Planner	
Organisation (where relevant)	Gladman Developments	
Address Line 1	Gladman House	
Line 2	Alexandria Way	
Line 3	Congleton Business Park	
Post Code	CW12 1LB	
Telephone Number	01260288849	
E-mail Address	n.penfold@gladman.co.uk	

PART B: REPRESENTATION

Please repeat your Name or Organisation:

Gladman Developments

3. Did you submit representations on the Proposed Submission Version of the Core Strategy during the public consultation (28 th February – 10 th April 2013)?	Yes:	X
	No:	(please go to Q6)
	Don't know	(please go to Q6)

4. Did you submit a representation relating to the North-East March Allocation (in Policy CS9 – March)?	Yes:	
	No:	

5. If you submitted representations on the North-East March Allocation, do you want the comments you make below to replace those previously made (in so far as they relate to the North-East March amendments)?	Yes:	
	No:	

6. Do you support the amendments to the Proposed Submission Version as set out in the Addendum relating to North-East March?	Yes:	
	No:	X

7. With the addition of the amendments in the Addendum do you consider that the Fenland Core Strategy is legally compliant?	Yes:	
	No:	X

8. With the addition of the amendments in the Addendum do you consider that the Fenland Core Strategy is sound?	Yes:	
	No:	X

9. If you consider the Fenland Core Strategy with the addition of the amendments in the Addendum is **not sound**, please identify your reason(s) for this by ticking the appropriate box(es). Please see the Guidance Notes to help you decide.

In my opinion, the Core Strategy is not:

Positively prepared: Justified: Effective: Consistent with national policy:

10. Please use the box below to set out your reasoning behind your response to Q7, Q8 and/or Q9.

Please see attached representations.

Continue on extra sheets/expand box if necessary

11. If you think that the Fenland Core Strategy (with Addendum) needs further changes, please set out what you consider the change(s) should be to make it legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see attached representations.

Continue on extra sheets/expand box if necessary

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

12. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the forthcoming public examination (or can it be considered by written representations)?

NO, I do not wish to participate at the oral examination:		YES, I wish to participate at the oral examination:	X
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13. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

Please see attached representations.

Continue on extra sheets/expand box if necessary

Please note that the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

**Please make sure you have signed and dated
the front page of the form**



Gladman Developments Ltd

Representations on

Fenland District Council -

Core Strategy Proposed Submission Addendum



August 2013

1 INTRODUCTION

- 1.1.1 Fenland District Council Consulted on their Core Strategy Proposed Submission in February/March 2013. This current consultation is a focussed consultation regarding an addendum to the Proposed Submission document. In May the Council agreed to remove from the Core Strategy an area of land designated as a Strategic Allocation for development (known as the North East March Strategic Allocation). This consultation is a direct result of this change to the Core Strategy.
- 1.1.2 Gladman previously submitted representations to the Core Strategy Proposed Submission document. The fundamental concerns raised at this stage in relation to specific policies and the plan as a whole still stand. These current representations should be read alongside the previous submission made by Gladman (included as Appendix 1).
- 1.1.3 Gladman raise a number of significant concerns with the approach the Council has taken following the removal of the North East March Strategic Allocation. The key concerns are focussed around the following:
- The Council have not thoroughly considered the options for distribution of the numbers that were previously due to be delivered through the North East March Allocation.
 - The Council's strategy may not be the most appropriate when considered against reasonable alternatives.
 - There is a high degree of uncertainty regarding the delivery of the proposed additional units to the SW March Allocation and the windfall allowance for March.
- 1.1.4 The Council progressed with the North East March Strategic Allocation to such a late stage in the plan preparation, for it then to be removed with limited justification. This represents a fundamental change to the overall strategy and requires significant consideration to ensure that the approach taken by the Council is the most appropriate strategy, and fundamentally is deliverable over the plan period. No explanation is provided for why the Strategic Allocation has been removed from the Core Strategy, so it can only be presumed that this was a political decision.
- 1.1.5 Through the proposed changes the overall Core Strategy still needs to meet all four tests of soundness outlined within paragraph 182 of the Framework. The Core Strategy as a whole, and these proposed changes specifically do not meet the tests of soundness and should be found unsound.

2 REPRESENTATIONS

2.1 Proposed amendments

2.1.1 The addendum to the Core Strategy Proposed Submission, outlines a fundamental change to the strategy; the removal of the North East March Strategic Allocation (which was previously identified to deliver 450 homes). The Council are proposing to deliver these 450 homes through the following amendments:

- Increasing the SW March allocation by 200 homes, bringing this Strategic Allocation to a total of 500 homes.
- Increasing the windfall allowance for March by 250 dwellings. Bringing the total for this type of delivery to 600 dwellings, in this settlement alone.

2.2 Critique of the proposed amendments and Council's rationale

2.2.1 Section 2 of the consultation document provides the Council's rationale for the proposed changes to the Core Strategy. The proposed amendments are not based on robust evidence and are not justified. The Council's claimed rationales are discussed in turn below.

Rationale 1 & 2 – High level Sustainability Appraisal and detailed site options

2.2.2 As part of their rationale the Council make reference to how these sites scored in the original Sustainability Appraisal.

2.2.3 If you are increasing a scheme by 200 homes on an initial 300 homes allocation, for the SW March site this represents a significant change (+66.67%). This should have been subject to a further SA and consultation prior to the Modifications being published (for example Milton Keynes Council re-consulted on a strategic allocation when the numbers were increased from 2,500 to 2,900 (+16%)). With such a difference in scheme details the original score for the SA may not be the same. For example some of the land could fall into flood zone 2, the local facilities may not be able to cope with the increased population etc. As such the Council should have also looked at alternatives such as increasing the proposed allocations in other market towns.

Rationale 3 – Redistribution of housing growth

2.2.4 Of the 450 homes lost through the deletion of the NE March Strategic Allocation, 200 dwellings have been redistributed to the SW March Allocation and 250 to the windfall allocation for March.

2.2.5 The approach taken by the Council regarding the distribution of these additional homes is unsound. The removal of the NE March Strategic Allocation is a significant change to the

Core Strategy Proposed Submission and the Council need to ensure that the new proposals to deliver these 450 dwellings, are both sustainable and deliverable over the plan period.

South West March Strategic Allocation

- 2.2.6 In relation to the SW March Strategic Allocation and the increased housing numbers, the Council themselves outline that *"the element of doubt is probably more to do with deliverability and whether the site can come forward and deliver 500 (or more) in the plan period to 2031."*
- 2.2.7 Gladman agree with the above concerns over deliverability. The increased housing numbers to this Strategic Allocation is over ambitious and unrealistic due to concerns over deliverability.
- 2.2.8 When including sites such as the SW March Strategic Allocation within the Core Strategy the Council need to ensure that they are applying realistic assumptions in terms of site capacity, lead-in times and delivery rates. The Council also need to ensure that they allow for an element of flexibility and contingency within their approach.
- 2.2.9 The Council themselves have an element of concern in relation to the delivery of this increased scale of development on the SW March Strategic Allocation. There clearly remains an element of uncertainty regarding the delivery of this site over the plan period. This brings into question whether the plan as a whole is effective and whether this will be successfully implemented over the plan period.
- 2.2.10 The Council need to be realistic in relation to the delivery rates for the Strategic Allocations. If just one of the proposed Strategic Allocations fails to deliver, or does not deliver to the timescales and scale proposed then this will have a direct impact on the delivery of the housing requirement and consequently the Core Strategy as a whole.
- 2.2.11 The Council need to ensure that they do not jeopardise the delivery of the plan due to uncertainties in relation to this (and other) Strategic Allocations. In order to be considered 'sound' the plan needs to be 'justified' and 'effective'.
- 2.2.12 The Council need to ensure that they include an element of flexibility and contingency within their plan, should delivery of the Strategic Allocations not go ahead as planned.
- 2.2.13 It is unclear whether the Council has undertaken the necessary detailed assessment of the SW March Strategic Allocation, and the Council is not currently providing any certainty regarding the delivery of this site. The Council have not considered the reasonable

alternatives in relation to the delivery of this deficit in housing numbers resulting from the deletion of the NE March Strategic Allocation and consequently cannot demonstrate that the proposal to increase the SW March Allocation is appropriate strategy. This approach is unsound.

- 2.2.14 In representations submitted to the Proposed Submission Core Strategy, Gladman raised similar concerns in relation to the allocation of 3,000 dwellings to Wisbech. Similarly there is a lack of clarity regarding the potential of this scale of growth to be delivered over the plan period. This lack of certainty regarding how the proposed scale of housing is to be delivered both in March and Wisbech needs to be confirmed prior to the plan being submitted for Examination. Without this clarity the plan is unsound.

Windfall Allowance in March

- 2.2.15 In relation to the increased housing numbers due to be delivered through windfall developments in March, Gladman raise significant concerns. The proposal is to increase, the already significant windfall allowance from 350 dwellings to 600 dwellings over the plan period in March. This would effectively take the annualised windfall allowance in March from 17.5 homes to 30 homes.
- 2.2.16 The percentage increase represents 71% with no further evidence to support whether this target would be met. The Council should have undertaken a report/assessment analysing the type of windfalls (size and location), to demonstrate they could provide the additional numbers. Without this evidence to support the proposals the approach is unsound.
- 2.2.17 The Council are placing too much reliance on the delivery of windfall sites in March. Whilst paragraph 48 of the Framework does state that "*local planning authorities can make an allowance for windfall sites in their five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic...*" 600 homes on windfall sites in March over the plan period is a vast amount.
- 2.2.18 It may be more appropriate for the Council to look at options for an additional Strategic Allocation in March, or elsewhere in the District, rather than splitting the 450 dwellings between an existing proposed allocation and delivery through further windfall development. The increased level due to be delivered through windfall sites, and similarly the increased numbers proposed to be delivered through the SW March Strategic Allocation results in increased uncertainties regarding deliverability. This approach is not 'effective' as required by paragraph 182 of the Framework and is therefore unsound. The deliverability of this

proposed Strategic Allocation, which is fundamental to the delivery of the plan as a whole, needs to be clearly justified through the evidence base.

- 2.2.19 The Council have not considered in detail the reasonable alternatives for delivering the full housing requirement across the District. The approach proposed (in relation to these 450 dwellings) is not the most appropriate strategy. The significant issues surrounding the deliverability of these housing numbers brings into question the soundness of the plan as a whole.

Rationale 4 – Efficient use of land and protection of greenfield land

- 2.2.20 Whilst Gladman acknowledge that the efficient use of land is an important factor, the Council need to ensure they are proposing realistic strategies to deliver the required scale of housing growth. Rationale 4, whilst not stating directly, suggests that in order to use less land to deliver the same scale of housing within March densities on the Strategic Allocation will have increased significantly. This level of detail has not been provided by the Council.

- 2.2.21 The Council need to ensure that the density assumptions they are applying to the Strategic Allocations are realistic, based on types of development that are currently being delivered in the market. Unrealistic density assumptions would have a direct impact on the numbers of units that can be expected to be delivered on these housing allocations. Unrealistically inflating the housing numbers could demonstrate that the housing requirement can be met when in fact on a more detailed assessment this may not be the case.

Rationale 5 – Where a choice is available

- 2.2.22 The Council have not thoroughly assessed all the options available for March and the other market towns. The approach proposed by the Council is not the most appropriate and is not sound.

- 2.2.23 The Council need to demonstrate that they have a robustly justified distribution strategy in place and that the plan has a realistic chance of being implemented over the plan period. Gladman raise serious doubts in this respect.

3 RECOMMENDATIONS

- 3.1.1 The deletion of a Strategic Allocation is a significant change and as such requires the Council to reassess the strategy for delivering the proposed scale of housing across the District over the plan period. As part of this process, the new proposals should be subject to a further SA and additional stage of public consultation.

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- 3.1.2 Due to the uncertainties highlighted in relation to the provision of an additional 200 homes on the SW March Strategic Allocation and an additional 250 homes through windfall development in March, the proposals are unsound. Gladman recommend that the spatial strategy as a whole should be subject to further detailed consideration.
- 3.1.3 An alternative the Council should be considering would be to direct these additional housing numbers to the other market towns. Gladman note that through the plan preparation the housing numbers for Whittlesey was reduced from 1,100 to 1,000 over the plan period. This could be reinstated if not increased further. This would be more appropriate plan making than relying so heavily on windfall development.
- 3.1.4 Whittlesey is a sustainable location for housing growth and the Council should be considering directing a greater proportion of housing growth to this settlement. Further growth in Whittlesey could help the Council deliver the deficit in housing numbers which was originally proposed to come forward through the NE March Strategic Allocation.
- 3.1.5 As mentioned in Gladman’s previous submission to the Core Strategy Proposed Submission, in addition to the Strategic Allocation to the North East of Whittlesey, the Council should also be identifying potential broad directions of growth, similarly to the key diagrams for Wisbech, March and Chatteris. As submitted previously, Appendix 2 of these representations provides an amended version of the Whittlesey key diagram with Gladman’s proposed broad location for growth shown in red. Gladman recommend that this is taken into consideration when reassessing the proposed housing distribution strategy. Gladman submit that the area to the North West of Whittlesey provides a sustainable location to accommodate further growth.

4 CONCLUSIONS

- 4.1.1 The Core Strategy Proposed Submission is unsound. The Addendum to this document brings into question further the soundness of the document as additional issues regarding the deliverability of the plan are raised.
- 4.1.2 The key concerns in relation to the Core Strategy Proposed Submission Addendum are as follows:
- Due to the limited detail provided by the Council it is unclear whether the proposed changes to the distribution strategy in March are the most appropriate when considered against all reasonable alternatives.

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- Uncertainties remain over the deliverability of 500 dwellings on the SW March Strategic Allocation over the plan period.
 - It is unclear whether the Council are using realistic assumptions on housing density, delivery timescales and lead-in times in relation to the Strategic Allocations.
 - The Council are placing an over-reliance on the delivery of housing in March through windfall development. A high reliance on windfall development comes with uncertainties in relation to the delivery of the required scale of housing over the plan period, and subsequently the effectiveness of the plan as a whole.

4.1.3 The Core Strategy needs to meet all 4 tests of soundness as outlined in paragraph 182 of the Framework.

"A local planning authority should submit a plan for Examination which they consider is 'sound' – namely that it is:

- **Positively prepared** – *the plan should be prepared based on a strategy which seeks to meet the objectively assessed development and infrastructure requirements, including unmet requirements from neighboring authorities where it is reasonable to do so and consistent with achieving sustainable development;*
- **Justified** – *the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;*
- **Effective** – *the plan should be deliverable over its period and based on effective joint working on cross boundary strategic priorities; and*
- **Consistent with national policy** – *the plan should enable the delivery of sustainable development in accordance with the policies in the Framework."* (paragraph 182).

4.1.4 The changes to the Core Strategy Proposed Submission would not result in a plan which is either 'justified' or 'effective'. In particular the proposals lack clarity, robust justification and evidence of deliverability over the plan period.

4.1.5 Gladman's previous submission highlights how the Core Strategy is not 'positively prepared' as it would not meet the full, objectively assessed housing needs and is inconsistent with various elements of national policy, in particular paragraphs 14, 47, 152 and 158 of the Framework.

4.1.6 The Fenland District Council Core Strategy is unsound, as it fails to meet any of the tests outlined in the Framework.

4.1.7 The Council need to provide further detail regarding the assumptions used in relation to the Strategic Allocations and provide clarity regarding the deliverability of these proposals.

- 4.1.8 The Fenland District Core Strategy proposed housing distribution as a whole should be subject to further consideration. The Council need to ensure that the proposals represent the most appropriate strategy when considered against all reasonable alternatives. Gladman recommend the Council look at the option of locating an increased scale of housing growth in Whittlesey as this is a sustainable location which has the potential to accommodate further growth.

APPENDIX 1

Gladman Representations – Core Strategy Proposed Submission (April 2013)

Gladman Developments Ltd

Representations on Fenland District Council:

Core Strategy Proposed Submission



April 2013

1 INTRODUCTION

1.1.1 Gladman Developments specialise in the promotion of strategic land for residential development with associated community infrastructure.

1.1.2 Gladman Developments submitted representations to the Core Strategy consultation in September 2012. These representations examined the soundness of the Core Strategy in the context of the National Planning Policy Framework (from here on referred to as the Framework) and focused on the spatial strategy, scale of housing growth and the proposed urban extensions. The concerns raised within these earlier representations still stand and many of which are reiterated within these current representations.

1.1.3 In support of the representations submitted in September 2012 Gladman provide an additional report, prepared by Regeneris Consulting, which assessed the future housing requirements in Fenland.

1.1.4 **These current representations assess the Fenland District Council Core Strategy Proposed Submission focussing on the aspects that Gladman consider to be unsound.** The key concerns highlighted in these representations are as follows:

- **Quantum of housing** – the proposed housing target of 11,000 dwellings over the plan period does not reflect the full, objectively assessed housing needs of both affordable and market housing of the District, as required by paragraph 47 of the Framework.
- **Spatial distribution** – there remains a lack of certainty over the deliverability of the housing numbers allocated to Wisbech, this calls into question the 'effectiveness' of the plan.
- **Evidence base** – Gladman note that the Cambridge sub-region are producing an update to the SHMA, with the chapter addressing forecasts for homes still currently underway. Gladman support the production of an up-to-date SHMA however question why Fenland District Council are proceeding with a strategy which includes a housing delivery target based on out-of-date evidence rather than waiting for this up-to-date evidence on housing need.
- **Planning for the future** – the general approach that the Core Strategy is taking is not forward looking, growth orientated or sufficiently aspirational. The arbitrarily restricted housing targets would not meet the full needs of the District and as such should be found unsound.

2 HOUSING GROWTH & MEETING HOUSING NEED

Quantum of Housing

- 2.1.1 **Policy CS4 – Housing (Part A)**, identifies a housing target of 11,000 new dwellings over the plan period (2011-2031), plus a further 550 new homes on the edge of Wisbech but delivered within Kings Lynn and West Norfolk Borough Council (KLWNBC). This equates to an annualised delivery target of 550 dwellings across Fenland District. As noted at the previous stage of consultation this scale of housing requirement is arbitrarily low. **Gladman submit that this Policy is unsound as the proposed housing requirement does not reflect the full, objectively assessed needs as outlined in paragraph 47 of the Framework.**
- 2.1.2 Gladman note that unlike the previous stage of consultation the Core Strategy no longer refers to the 11,000 dwelling requirement as being a minimum. As such the Council are no longer aspiring to higher growth levels in the longer term as identified in your own evidence within the '*Growing for Growth*' Evidence Report¹ as being vital for the District. Paragraph 4.3 States that '*In order to tackle the issues arising in Fenland, going for growth has the potential for significant local benefits.*' In response to both the Framework's aspirations and your own evidence the Councils should boost significantly the supply of housing where sustainable. Gladman would urge the Council to reinstate this caveat to the policy requirement as housing targets should not be seen as a ceiling.
- 2.1.3 The Councils new evidence both in respect to the suggested modifications and the revocation of the East of England Plan provides further support to our previous observations and the soundness of your CS in adopting a target of 11,000 homes.
- 2.1.4 The Housing Evidence Report² is significant in this respect and although not exhaustive Gladman have made the following observations:
- 2.1.4.1 Table 3 (p8) confirms that the proportion of affordable homes that have been delivered amount to only 11% of the total homes between 2001-11. Clearly the best way to significantly improve delivery where viability continues to be an issue and to have any real prospect of achieving the quantum of low cost homes required is by boosting the housing supply from sustainably located sites. Para 4.32 in this report recognises a delivery rate of 700 dwellings per annum would be required to meet the housing need. This could be

¹ Going for Growth Evidence Report Fenland District Council February 2013 (p10)

² Housing Evidence Report: Fenland District Council February 2013

achieved looking at past completion years (generally 2002-07). The CS should therefore be supporting such a level of growth. Such an approach is also consistent with ONS population increases identified in Paragraph 4.16 of the report.

- 2.1.4.2 Para 3.8 – Identifies that most of the growth has been provided on sites of less than 15; stating the major reason being there is a limited supply of sites capable of accommodating dwellings above this threshold. This statement represents a clear failing in the identification of major sites which are capable of being sustainably located and therefore the default position has been occurring with reliance on windfall development which by nature is undesirable and unplanned in a strategic sense. As is covered below there is sufficient land in the District to increase the land supply and provide the requirements of a high growth target.
- 2.1.4.3 Para 3.13 provides the Councils assessment of confirmed supply. As of March 2011 2,131 homes with planning remained. Even assessed against The Councils target of 550 dwellings per annum plus taking 20% Contingency in accordance with the NPPF gives a 5 yr housing supply requirement of 3,025 (605 dph) The 2,131 in simplistic terms only represents 3.5 years. Thus more sustainable sites such as land off Snowley Park, Whittlesey that has been identified by Gladman can significantly boost this target as deliverable and available now.
- 2.1.4.4 As referenced above within Para 4.16 of the Councils most up-to-date evidence– Using ONS population figures the research confirms 720 homes per annum will be needed to provide sufficient homes in supporting 14,400 new households. If the CS is to be found sound in accordance with the NPPF in that it should positively planned then there is no reason why the Council are seeking to restrict growth to the 11,000 homes proposed. The only conceivable reason would be if there was a deficiency in identifying a sustainable supply of housing land. Under Paragraph 4.49 the Councils own evidence confirms this is not the case which states *'there is broadly sufficient appropriate land to potentially allow for growth up to 21,000 homes'* Gladman has already identified such a sites that is in a sustainable location to the North-West of Whittlesey.
- 2.1.4.5 Such a higher growth strategy would also provide a positive outcome in respect to the weaknesses identified in the Economic Development Strategy³ 2012-31' (p15) The report identifies weaknesses in the economic context of an ageing population and having insufficient executive style housing. Both weaknesses can only be addressed by increasing the housing supply.

1.1.1 ³ Fenland Economic Development Strategy 2012-31

- 2.1.4.6 Gladman also note the results of the County Council Research Group within Paragraph 4.17 giving a lower housing requirement. Such research has not been open to scrutiny and appears flawed in the use of past local household formation rates which are higher than the national average used in most other assessments of this type. What this represents is the acuteness of the housing need in the District in the unmet demand of the Community not being able to meet their own requirements and forced into potentially over occupancy within the existing stock.
- 2.1.5 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.
- 2.1.6 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 identifying *"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."*
- 2.1.7 Key points that are worth noting from the above is that the objective assessment should identify the full need for housing before the Council consider undertaking 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

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- 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, off-setting 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.
- 2.1.8 It is our understanding that a majority of the SHMAs that were prepared under the current guidance on SHMA preparation are not NPPF compliant and do not consider the full range of factors that are outlined in §159. 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.
- 2.1.9 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.
- 2.1.10 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*
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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.

- 2.1.11 Gladman reiterate that as evidenced by the ‘Housing Need in Fenland’ report (submitted with Gladman’s representations at the previous consultation stage) there is strong evidence from the affordable housing need, from recent population forecasts and from past evidence of market demand for house building that would justify the housing target being increased.

Housing Development Proposals

- 2.1.12 **Policy CS 4 (Part B)** outlines the ‘Criteria for Assessing Housing Development Proposals’. This states that *“Large scale housing proposals (i.e. 250 dwellings or more) on the edge of market towns are directed to the identified specific or broad locations for sustainable growth. Any other large scale housing proposals on the edge of market towns away from these areas will be refused.”* Gladman object to this statement, suggesting that this policy approach is far too prescriptive and is contrary to the whole tone of the Framework which provides a presumption in favour of sustainable development. This proposed policy approach is contradictory to the Fenland Core Strategy Policy CS1 – a presumption in favour of sustainable development.
- 2.1.13 Gladman submit that there may be instances when sustainable development outside of the preferred directions of growth may be appropriate and necessary. For example if Fenland District Council cannot demonstrate a five year supply of deliverable sites and the proposed site outside of the growth locations would provide a sustainable site that could help deliver housing to help meet this supply. The Core Strategy should not include policies that arbitrarily restrict growth in this manner.

Affordable Housing

- 2.1.14 **Policy CS5 (Part A) – Affordable Housing** outlines the proposed affordable housing percentage requirements which range from 20% on sites of 5 to 9 dwellings and 25% on sites of 10 or more dwellings.
- 2.1.15 Gladman raise concerns in relation to the proposed affordable housing percentage requirements. Whilst it is recognised that these requirements have been reduced since the previous stage of consultation, due to the low land values across Fenland, Gladman believe that these requirements may still be too high. This could subsequently act to restrict

development. The Framework states: *"Plans should be deliverable. Therefore the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened."* (Paragraph 173 of the Framework).

- 2.1.16 Gladman note that Policy CS5 (part A) does not appear to reflect the evidence produced by the Council within the Affordable Housing Economic Viability Assessment (2009/10). The appendices to this report demonstrate that the majority of the larger housing schemes would not be viable with a 20% affordable housing requirement.
- 2.1.17 The Cambridge sub-region SHMA (2012 update) outlines that the total net need for Fenland District is 735 affordable dwellings per annum over the period 2010/11-2014/15. This is made up of 561 to meet the current / backlog of need and 174 to meet the newly arising need. This data seems to have been largely ignored within the more recent Housing Evidence Report (2012 and 2013 versions), which has been used as part of the evidence base to set the proposed overall housing target. Gladman question why the Housing Evidence Report adopted a simplistic approach to considering affordable housing need, which did not take account of any backlog in affordable housing delivery (despite this having been identified within the SHMA).
- 2.1.18 As noted in the previous representations the annual rate of affordable housing delivery over the past decade has been roughly 10% of all completions. It is difficult to see how the 550 dpa target could make in roads into the affordable housing needs. The maximum level of affordable housing that the 550 dwelling target would deliver, when calculated using the proposed affordable percentage requirements (20 or 25%) would not even address the newly arising affordable need let alone make any impact on backlog. Therefore the affordability issues across Fenland will get worse.

Spatial Distribution

- 2.1.19 As noted in the previous representations submitted by Gladman, each housing market area within the District will have its own requirements / needs for housing and this should be reflected in the spatial distribution of housing supply within the Core Strategy. This decision should be based on the findings of the evidence base and should not be a politically driven strategy to put a disproportionate amount of housing to areas where people don't want to and will not live. If the spatial distribution does not reflect need/demand as shown by the evidence base, then the housing is unlikely to be delivered and the plan will not be implemented.

2.1.20 **Policy CS4** outlines the proposed spatial distribution of housing across the District as shown in the table below.

	District Total	Wisbech	March	Chatteris	Whittlesey	Other locations
Total	11,000	3,000 + 550 in KLWNBC	4,200	1,600	1,000	1,200

- 2.1.21 In principle, the distribution of development proposed through Policy CS4, directing growth to the key settlements (the four market towns) with established facilities, services and infrastructure is logical and in accordance with the key theme running through the Framework to promote sustainable development. However, it should be noted that whilst recognising that the urban areas should accommodate a larger proportion of housing growth, this should not prevent sustainable development coming forward in lower order settlements (growth villages and limited growth villages) which could help sustain existing facilities and services
- 2.1.22 Gladman raise significant concerns in relation to the allocation of 3,000 dwellings to Wisbech. These concerns were raised in the previous representations and still stand. There is a lack of clarity regarding the potential for this scale of growth to be delivered over the plan period. Policy CS4 states *"The Wisbech allocation of 3,000 will be closely monitored and is subject to detailed masterplanning of strategic sites, to address highways and flood issues in particular. Whilst the Council has evidence to indicate that around 3,000 new homes are possible in Wisbech. If such masterplanning identifies that the 3,000 target is unlikely to be achievable by a significant degree then the Council will undertake a review, in part or whole, of the Core Strategy."* (Fenland Core Strategy submission version, page 21).
- 2.1.23 Gladman submit that the lack of certainty in relation to the ability of Wisbech to deliver the proposed level of housing growth should to be addressed now and should not be deferred to a possible review of the Core Strategy.
- 2.1.24 The Framework states that for a plan to be considered sound at Examination it needs to be *"Effective – the plan should be deliverable over its period..."* (Paragraph 182 of the Framework). Gladman submit that deliverability in relation to the housing allocation to this settlement needs to be clearly justified through the evidence base.
- 2.1.25 Gladman note that the allocation for Whittlesey is now 1,000 dwellings over the plan period, which is a reduction of 1,000 units since the last stage of consultation. Gladman query why this allocation has been reduced and seek clarity over whether this decision was evidence based. Gladman submit that as one of the four market towns Whittlesey is a sustainable location for housing growth and may have the potential to take a higher level of housing

delivery. The potential for this settlement to take further housing delivery should be considered in further detail particularly due to the uncertainties that surround the scale of growth that Wisbech can accommodate.

3 EVIDENCE BASE

- 3.1.1 As noted in the previous section of these representations, in order to determine an appropriate housing delivery target the Council must first have a clear understanding of the *"full objectively assessed needs for market and affordable housing"* (paragraph 47 of the Framework), this assessment of need should be based on an up-to-date and robust evidence base (as required by paragraph 158 of the Framework).
- 3.1.2 The Cambridge – sub region SHMA was first produced in 2008 and has undergone subsequent updates. As recommended previously the Council need to produce a full update of the SHMA taking account of the most recent demographic and household data, which should then be used to determine the housing requirement for the District.
- 3.1.3 In its current form the Fenland District Councils SHMA is not in accordance with the Framework (paragraphs 47 and 158) as the SHMA does not address both affordable and market housing need. If a local planning authority does not have an up-to-date SHMA and does not use the evidence from this to determine their housing requirement then it is likely this may not reflect the 'real' housing needs of the District and as such should not be found sound.
- 3.1.4 Gladman acknowledge that the Cambridge-sub region are in the process of updating their SHMA. As Gladman understand this is an ongoing process and a number of chapters have recently been consulted upon. It is understood that in light of the NPPF and the revocation of the East of England Plan, Chapter 12: forecasts for homes of all tenures is currently under development. Gladman consider that the absence of the up-to-date evidence that this chapter should provide is a significant concern and without this data the proposed housing targets are lacking a robust evidence base.
- 3.1.5 Gladman query why Fenland District Council are consulting upon their Proposed Submission Version of the Core Strategy prior to this information on future housing need being published.
- 3.1.6 Whilst Gladman acknowledge that Fenland District Council have produced a Housing Evidence Report (July 2012 and updated in February 2013) this does not amount to a full SHMA. The Housing Evidence Report draws together a number of sources to demonstrate

the housing need within the District. The Conclusion presented in the 2012 version of this report was that *"there appears to be no compelling evidence to justify deviating from the RSS figures"*. As noted in the previous representations Gladman contest this statement and note that the need demonstrated through the SHMA provides compelling evidence for an increased quantum of housing. In addition Gladman refer the Council to the Fenland Housing Need Report (prepared by Regeneris) which has been included as Appendix 1, demonstrates evidence which suggests a higher level of growth is needed to meet the full objectively assessed needs of the District.

- 3.1.7 The 2013 version of the Housing Evidence Report Concludes *"A target of 11,000 dwellings is considered to be the most appropriate for Fenland over the plan period 2011-2031. The target is deemed to meet the need and demand for dwellings in the district through population growth and affordable housing need and also provide housing growth that will be a catalyst for addressing deprivation issues in the district."* Gladman contest this statement. As noted earlier, the Housing Evidence report takes a simplistic approach with regards to affordable housing and does not include for any backlog in affordable housing need.
- 3.1.8 The Housing Evidence Report (2012 and 2013 version) assesses demographic projections using the 2008 based population projections. As noted in the previous representations, the 2010 based forecasts identify a faster rise in population in Fenland over the plan period. The Housing Evidence Report references the Cambridgeshire County Council forecasts, when coming to their proposed housing target. However Gladman reiterate that these are policy constrained forecasts and as such do not add to the understanding of future need.
- 3.1.9 Gladman submit that the evidence base used to determine the 11,000 dwelling target over the plan period is out of date and does not provide a robust assessment of the likely future needs of the District.
- 3.1.10 In addition, Gladman submit that due to the various updates to the SHMA and the Housing evidence report there is a lack of clarity over exactly what evidence has been used to determine the proposed 11,000 housing target.

4 URBAN EXTENSIONS

- 4.1.1 **Policy CS7 – Urban Extensions**, provides the policy approach for the delivery of housing through broad or specific locations of growth. Policies CS8 – CS11 provide the detailed proposals for each of the 4 market towns including these broad locations for growth.

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- 4.1.2 As noted within Gladman’s previous representations the general concept of urban extensions or strategic allocations for growth are in keeping with the golden thread running through the Framework the promotion of sustainable development. The rate at which these urban extensions will be delivered needs to be considered in a realistic manner. Urban extensions will often require extensive infrastructure prior to housing being delivered. As a result of these long lead in times, most large urban extensions should be considered as medium to long term delivery (unless evidence suggests otherwise). In conjunction with this, Gladman reiterate that the release of additional housing land earlier in the plan may be necessary to meet the short term housing needs. It is important that local planning authorities ensure they do not solely rely on the delivery of urban extensions to meet their housing needs.
- 4.1.3 Policy CS11 details the Town Strategy for Whittlesey and includes the strategic allocation to the North and south east of Eastrea Road. This strategic allocation is expected to deliver around 550 dwellings. Gladman understand that this site has been granted outline planning permission.
- 4.1.4 With reference to Policy CS11 and the key diagram for Whittlesey Gladman suggest that in addition to identifying the Strategic Allocation to the North East the Council should also be identifying potential broad directions of growth, similarly to the key diagrams for Wisbech, March and Chatteris. Appendix 2 of these representations provides an amended version of the Whittlesey key diagram with Gladmans proposed broad locations for growth shown in red. Gladman recommend that this is taken into consideration and that the Council prepare an updated key diagram for Whittlesey. In particular Gladman submit that the area to the North West of Whittlesey provides a sustainable location to accommodate further growth.
- 4.1.5 As identified within the Flood Risk Evidence Report⁴ the report makes reference to the Flood Risk Sequential and Exception Test. Section 10 considers the areas of growth that might be considered suitable in Whittlesey. This confirms that the area to the north-west are outside flood zone 2 and 3 and therefore could come forward without the need to be considered via a Flood Risk Sequential Test. This supports the recommendation made by Gladman that the area to the north west of Whittlesey should be a broad location for growth.

1.1.2 ⁴ Flood Risk Sequential and Exception Test Evidence Report, Fenland District Council: February 2013

5 SITE SUBMISSION

This section of the representations concerns land off Snowley Park. The site is located to the north west of the settlement of Whittlesey.

- 5.1.1 The site is bounded to the south by existing residential properties. Development of this site would be complimentary with the existing character and form of the settlement, effectively rounding off this part of Whittlesey.
- 5.1.2 The site is suitable, available and achievable and the site would provide an excellent opportunity for development which integrates well with the existing residential area of Whittlesey.
- 5.1.3 We however note the comments made in the Flood Risk Report regarding the Broad Area of growth to the North West of Whittlesey. Our Ecologist has carried out an assessment of any potential impact on the SPA. By creating a designated all weather informal footpath network within the development would give rise to a lasting legacy to relieve any pressure from the public using the SPA from any new and the existing residents of Whittlesey. A sustainability assessment has also being carried out and scores favourably in respect to access to key services and facilities'
- 5.1.4
- 5.1.5 In accordance with NPPF paragraph 47 footnote 11 the site is considered deliverable as it is available now, offers a suitable location for development directly adjacent to the existing settlement, and is achievable.
- 5.1.6 There are no known impediments to development of this site which will be evidenced through the forthcoming planning application. The Indicative Framework Plan (Appendix 3) demonstrates how this site could deliver up to 150 residential units.
- 5.1.7 Gladman note the reference to the land to the North West of Whittlesey within the Councils Sustainability Appraisal Part 2 (February 2013), however recognise that this covers a much larger area of land than the site that Gladman are promoting. In relation to the land off Snowley Park (as shown in Figure 1), Gladman have undertaken a detailed assessment of the sites sustainability credentials, which demonstrates that the site would offer the opportunity for a sustainable development which is well located in relation to the existing settlement. The sustainability matrix, prepared by Gladman for the land off Snowley Park can be found in Appendix 4.

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- 5.1.8 Gladman Developments are keen to work with Fenland District Council to deliver a high quality residential scheme and would welcome further discussion regarding this.

6 DUTY TO COOPERATE

- 6.1.1 The Duty to Cooperate is a legal requirement placed on local authorities by the Localism Act 2011 (§110). It is a requirement for local authorities to work together on cross-boundary and strategic issues to ensure that these issues are co-ordinated and clearly reflected in Local Plans. Local Planning Authorities should therefore ensure that their SHMAs are prepared on a joint basis if housing market areas cross authority boundaries. These assessments should identify if neighbouring authorities are proposing to meet their full housing requirement within their own authority area and if not, what proportion will be expected to be delivered within their authority. Therefore, it is considered that the Local Plan should build into the housing requirement a factor to account for the possible non-delivery of housing in a neighbouring authority area.
- 6.1.2 The Framework is explicit in the requirement for cross boundary cooperation. The Framework States: *"Public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those that relate to the strategic priorities set out in paragraph 156. The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities."* (NPPF §178)
- 6.1.3 As noted in Gladman's previous representations Fenland District Councils Core Strategy makes specific reference to a strategic allocation that lies within Kings Lynn and West Norfolk Borough Council (KLWNBC). In relation to growth and housing it notes that at least 550 units are to be delivered in Wisbech (KLWNBC), the 550 units is in addition to the 11,000 housing target that Fenland have set as it is outside the administrative boundary.
- 6.1.4 The two Councils are working towards a single development allocation, which straddles the administrative boundary and have agreed that the site should come forward as a single comprehensive development scheme. This type of joint working in relation to a strategic priority (such as housing) conforms with the intentions of the Duty to Cooperate as set out in the NPPF.
- 6.1.5 However the Fenland District Core Strategy provides limited information in relation to the joint working with KLWNBC regarding the strategic allocation in Wisbech and therefore there is a lack of certainty as to whether the scale of development proposed will come forward.

- 6.1.6 KLWNBC adopted their Core Strategy in July 2011 and are now preparing a site specific allocations and policies document. They are currently at the stage where they are preparing a Preferred Option document (anticipated consultation Spring 2013). The KLWNBC Core Strategy makes provision for a minimum of 550 houses in the Wisbech fringe area, indicating that this growth is directed towards Walsoken, West Walton and Emneth. This scale of proposed growth in the Wisbech fringe area would appear to align with the identified distribution policy C2 of the Fenland Core Strategy.
- 6.1.7 In relation to the Duty to Cooperate Gladman reiterate that the housing requirement for Fenland needs to take into consideration the neighbouring authorities in relation to their housing needs and whether their proposed housing requirements will be meeting these needs. If this is not the case, particularly if any authority is severely constrained due for example to land capacity or flooding issues, then it is up to the Councils to work together to come to an agreement regarding whether any of these additional housing numbers can be met within one of the neighbouring authorities. The Council need to demonstrate clearly how this duty has been met. Gladman note that a Duty to Cooperate statement has not yet been published (the Council's website indicates that this is anticipated in May 2013), without this statement there is a lack of clarity with regards to whether this Duty has been met.

7 CONCLUSIONS

- 7.1.1 These representations reiterate a number of concerns made by Gladman at the previous consultation stage but have also assessed the additional evidence where relevant. Gladman note that a number of these issues have not been addressed by the local planning authority or taken sufficient guidance from their own evidence. As such in its current form the Core Strategy should not be found 'sound'. If these significant concerns are not addressed then the Core Strategy will not advance to meeting the tests of soundness outlined in paragraph 182 of the Framework.
- 7.1.2 Gladman believe that the soundness of the Core Strategy is questionable on a number of counts:
- **Quantum of housing** – Gladman questions whether the proposed housing requirement meets the full objectively assessed needs of the District. There is clear evidence for increasing growth to 15,000 homes by way of boosting
 - The delivery of the identified affordable housing need
 - The District have consistently provided more housing than the current proposed housing target of 550 dwellings pa
 - Would address the weakness in the Districts Economic Development Strategy

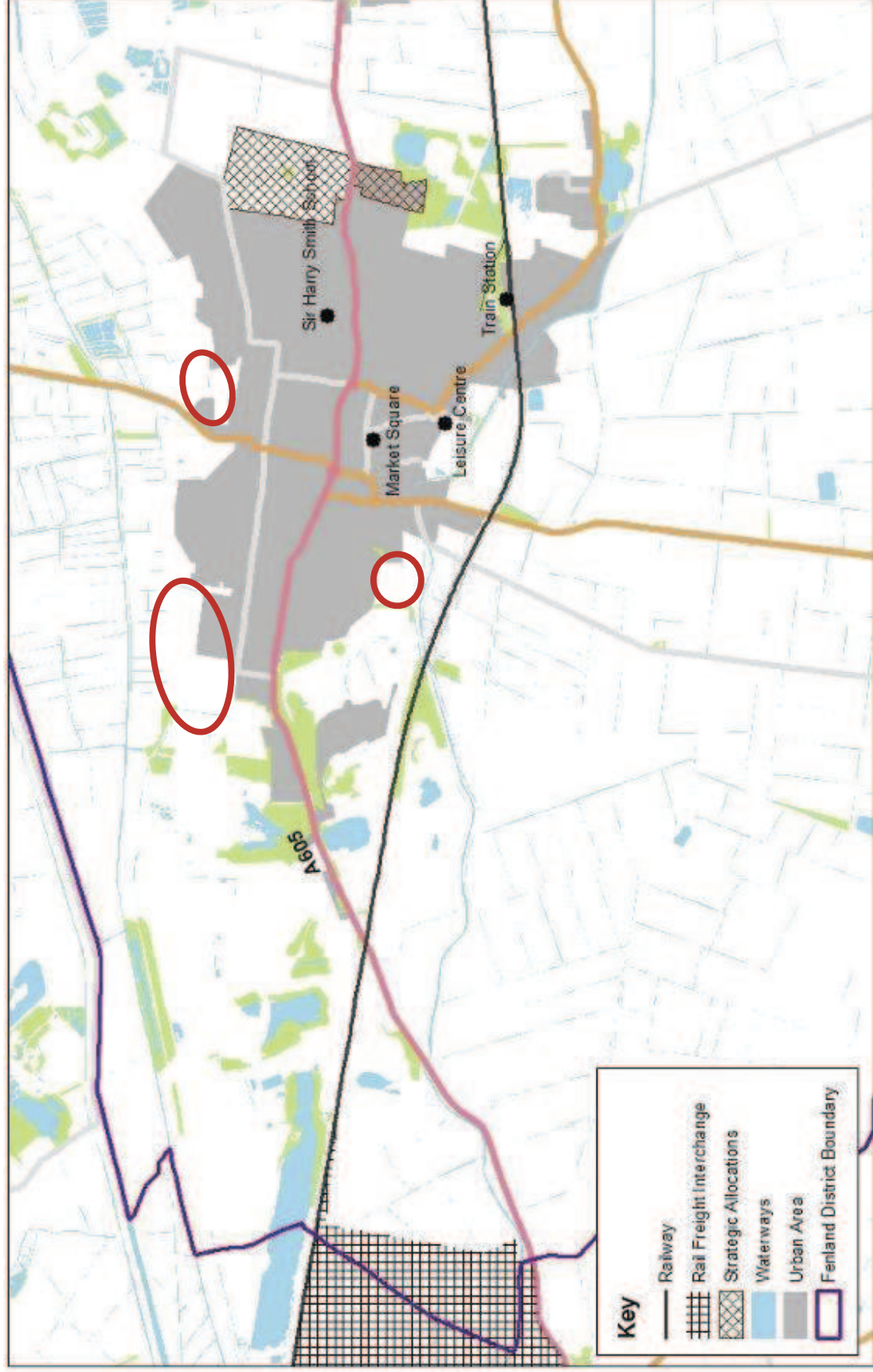
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- There is sufficient land to meet the higher growth target of up 15,000 homes in the plan period.
 - **Spatial distribution** – there remains a lack of certainty over the deliverability of the housing numbers allocated to Wisbech, this calls into question the ‘effectiveness’ of the plan.
 - **Evidence base** –Gladman note that the Cambridge sub-region are producing an update to the SHMA, with the chapter addressing forecasts for homes still currently underway. Gladman support the production of an up-to-date SHMA to assess the continued difficulty in affordable housing delivery due to the viability issues identified within the work carried out by Adams Intergra on behalf of a number of Districts in this part of East Anglia. It does however raise the question why Fenland District Council are proceeding with a strategy which includes a housing delivery target based on out-of-date evidence and potentially unachievable affordable homes proportion stated under Policy CS5. **Duty to Cooperate** – Gladman query whether the Council have sufficiently considered the Duty to Cooperate, particularly in relation to housing need across the wider Cambridge sub region.
 - **Planning for the future** -_the general approach that the Core Strategy is taking is not forward looking, growth orientated or sufficiently aspirational. The arbitrarily restricted housing targets would not meet the full needs of the District and as such should be found unsound.

7.1.3 In conclusion, Gladman believe that in its current draft the Core Strategy is not sound. With reference to paragraph 182 the plan is **not ‘positively prepared’** as it does not seek to boost significantly the supply of housing, or in fact seek to provide a scale of housing to meet the identified need of Fenland District. The plan is **not ‘justified’** as the plan does not reflect the identified needs and the evidence base is out-of-date. The plan is **not ‘effective’** as it lacks clarity in its ability to deliver the proposed scale of housing growth to Wisbech. The Core Strategy is **not ‘consistent with national policy’** specifically paragraphs 14, 47, 152 and 158 of the Framework.

APPENDIX 2

Gladman Representations – Broad Locations for Growth in Whittlesey (submitted was part of representations to the Core Strategy Proposed Submission, April 2013)

Gladman Representation - Broad Locations for Growth



Key

- Railway
- Rail Freight Interchange
- Strategic Allocations
- Waterways
- Urban Area
- Fenland District Boundary



Key Diagram for Whittlesey

Not To Scale

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