



**East Cambridgeshire
Local Plan Examination**

**Matter Statement 4
Housing and Employment
Land Requirement**

**Responses on behalf of
Endurance Estates Strategic Land Ltd
Respondent Number: 1065821**

May 2018

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1.0 INTRODUCTION

- 1.1 This Statement has been prepared by Turley, on behalf of Endurance Estates Strategic Land Ltd (Endurance Estates) pursuant to Part One of the East Cambridgeshire Local Plan Examination, June 2018.
- 1.2 Endurance Estates objects to a number of policies within the emerging Local Plan as set out in our November 2017 written representations. These are that the Plan has not been positively prepared, is not justified, effective or consistent with national policy. Therefore the Plan cannot be considered sound in its current form.
- 1.3 The main matters of dispute comprise, inter alia: the five year housing land supply, Policy LP2, Policy LP3, infrastructure provision and the transport strategy, along with settlement-based objections relating to Sutton and Fordham. This Matter Statement specifically considers **Matter 4**, questions 30 to 33.
- 1.4 Endurance Estates and its professional planning advisors have requested to participate in the relevant Matter Hearing Session and the Programme Officer has been contacted accordingly.

2.0 RESPONSE TO QUESTION 30

‘ Is the identified overall housing requirement of 10,835 dwellings or 542 per annum (dpa) over the plan period justified and consistent with national policy? ’

- 2.1 The housing requirement of 542 dwellings per annum is not justified or consistent with national policy, as it fails to adequately support the significant potential growth of the East Cambridgeshire local economy, during the plan period, arising from identified trends and the impact of the strategic employment allocations. The requirement is essentially a discounted version of the standardised methodology, by deducting the residual net contribution of the MoC with Peterborough (see response to Q32) and so does not take into account the strong employment growth aspirations of the district.
- 2.2 As a point of general principle, we consider that reliance upon a proposed standardised methodology, which has not been adopted, is premature and so can only be afforded very little weight at this time. Furthermore its early adoption is a convenient way of avoiding the need to make up any large previous shortfalls as part of the five year land supply equation, by managing the shortfall recovery over a much longer time period.
- 2.3 Emerging Policy LP8 identifies a large part of Lancaster Way in Ely as having a national ‘Enterprise Zone’ status and detailed proposals are set out in the Plan for up to 50 hectares of new Business Parks. Policy LP8 also allocates other Strategic Employment Allocations throughout the remainder of the district, totalling 143 additional hectares.
- 2.4 This potential to create over 190 hectares of new high quality strategic employment space and the level of housing need to support this economic growth is not reflected in the Council’s overall housing requirement resulting in a significant disparity between the Council’s approach (based on discounted standardised methodology) and the much higher estimate of housing need in East Cambridgeshire previously undertaken by the Cambridgeshire County Council Research Group (CRG) in January 2016 (Ref SE01).
- 2.5 Unlike the Council’s discounted requirement, the CRG model takes employment trends and growth potential in the district during the Plan period into greater account and assesses the housing need as being substantially higher at **14,300** dwellings or 650 dwellings p.a. in the period 2014-2036, under a high economic growth scenario.

- 2.6 As set out in our previous submissions, the minimum OAN requirement we advocate for the purposes of the calculation of the five year supply should therefore be based on the Council's 2014 OAN assessment of 12,900 dwellings per year, so that the shortfall of 959 dwellings since 2014 can be fully recovered over an earlier timeframe.
- 2.7 However, we remain persuaded by the evidence presented within the CRG model and so consider that an uplift to the recommended **14,300** dwellings during the Plan period would more appropriately align with the full economic growth potential of the district. This has important implications for the assessment of the accrued shortfall and the calculation of the five year land supply.
- 2.8 As such, we find conflict with the first two bullets of Paragraph 14 of the NPPF in that the discounted version of the standardised methodology is not indicative of a Council looking to positively seek opportunities to meet the development needs of its area.
- 2.9 Furthermore, the Council have not identified any significant and demonstrable harm or specify the specific policies in the Framework which justifies why a large percentage of the district's housing needs must be physically provided elsewhere in an alternative local authority area.
- 2.10 In other words, the strategy to deliver some 1,125 of East Cambridgeshire's housing requirement in the Peterborough area during the remaining Plan period is based largely on political expedience, rather than any specifically identified environmental or other physical constraints which makes it not possible for East Cambridgeshire to provide for its own indigenous needs.
- 2.11 However there is significant doubt as to where and when these dwellings are actually going to be provided (see answer to Question 31).

3.0 RESPONSE TO QUESTION 31

‘Do either of the two parts of the second bullet point within Paragraph 14 of the Framework apply to meeting East Cambridgeshire’s objectively assessed needs? If so, how?’

- 3.1 The second bullet of Paragraph 14 of the NPPF advises that Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, subject to any adverse impacts not significantly and demonstrably outweighing the benefits or conflicting with any specific policies in the Framework (footnote 9).
- 3.2 Taking into account the first part of the second bullet point of paragraph 14, the Sustainability Appraisal does not identify any significant or demonstrable reasons, when assessed against the Framework, why the full assessed housing needs of East Cambridgeshire cannot be met within the confines of the district. Specifically there is no linkage made between the dwellings proposed for redistribution to Peterborough and any identified adverse environmental impact which suggests that these dwellings cannot be reasonably accommodated on land within East Cambridgeshire.
- 3.3 On this premise, there is capacity within the East Cambridgeshire district to physically accommodate the 1,125 dwellings which are proposed for redistribution. If this were not the case, then the Plan would need to set out the identified harm and the specific conflicts which necessitate why these dwellings must be provided elsewhere. However this is not the principal reason, as the intended redistribution is politically derived.
- 3.4 On this basis, there is technically environmental headroom for an immediate uplift of 1,125 dwellings in the district, which at face value is clearly essential, as should the MoC be rescinded at a future date then East Cambridgeshire will have to provide for these dwellings in any event. On the basis that these dwellings are provided elsewhere then the equivalent growth can be provided without conflict with Paragraph 14.
- 3.5 Accordingly, neither part of Paragraph 14 precludes East Cambridgeshire from meeting its fully assessed needs, with sufficient flexibility to also adapt to future rapid change. In this respect, evidence from the SHLAA also indicates that the largely unconstrained nature of many of the larger village settlements in the district affords considerably more opportunity for further sustainable development than the total number of sites which have been so far allocated.

4.0 RESPONSE TO QUESTION 32

‘ What is the justification to discount the OAN figure by 1,125 dwellings and to rely on Peterborough to contribute to the delivery of East Cambridgeshire’s needs? What evidence is there that Peterborough has previously delivered the housing needs of East Cambridgeshire, and will continue to do so, and when? ‘

- 4.1 As stated above, there are no tangible and justifiable reasons, when assessed against the Framework, why the full assessed housing needs of East Cambridgeshire cannot be met within the confines of the district. Specifically there is no linkage made between the dwellings proposed for redistribution and any identified adverse environmental impact which suggests that these dwellings must be accommodated in Peterborough.
- 4.2 Accordingly it is for the Council to demonstrate why, in the context of the second bullet of Paragraph 14, it is necessary for East Cambridgeshire to export a large percentage of its housing needs, when it is not particularly environmentally constrained, relative to other similar local authorities either in Cambridgeshire or elsewhere.
- 4.3 With regard to the previous housing delivery record of Peterborough on behalf of East Cambridgeshire to date, there is no evidence to suggest that the MoC has functioned as intended. Indeed up to the point of the submission of the Peterborough Local Plan, the stated position of the authority was not to provide for any of the needs of East Cambridgeshire, under the MoC, despite the assertions of East Cambridgeshire to the contrary in the calculation of its own five year housing land supply.
- 4.4 The evidence for this is set out at Paragraph 3.9 of our previous submissions wherein we noted that the Peterborough City Council assessment of their respective five year housing land supply for the period 1 April 2017 to 31 March 2022, did not include any calculation of the obligations made under the Memorandum of Co-operation (MoC).
- 4.5 Whilst Peterborough City Council claimed throughout 2017 to have a viable five year housing land supply, immediately prior to the submission of their Plan in 2018 this was calculated with a specific caveat in relation to the need to deliver any of the dwelling commitments set out under the MoC. The City Council justified this ‘Peterborough only’ position at paragraph 2.6 of its July 2017 Five Year Supply document as follows:

‘At this stage the policies in the emerging Local Plan are not yet capable of carrying sufficient weight. Instead, as set out in the NPPG, the latest OAN figure should be used for calculating the five year supply. This view is supported by the Planning Inspector at a recent appeal in the Peterborough administrative area. His decision concluded that: *“Adjustments in respect of externally generated need are ‘policy on’ considerations which are matters to be tested through the Local Plan examination”*

- 4.6 Therefore, during the production of the Peterborough Plan (which is at a similar stage to that of East Cambridgeshire) when calculating their five year housing land supply, the housing requirement was based solely on the prevailing Peterborough OAN of 981 dwellings per year, without reference to any requirements relating to the further dwellings required to be delivered under the MoC.
- 4.7 Whilst Peterborough’s position has now changed and the intention to provide dwellings for East Cambridgeshire is now back on the political agenda, at the time of writing there is no specific detail to be found in either Plan as to where these dwellings will be located or when they are intended to be delivered.
- 4.8 We strongly contest therefore that the discount of the East Cambridgeshire OAN by 1,125 dwellings is neither justified or sound, as there are no compelling environmental reasons for these dwellings to be provided by another authority. In addition, the City Council has hitherto taken a rather laissez-faire approach to when it will provide these dwellings, with a ‘Peterborough first’ approach.
- 4.9 This suggests that the current political intention could again be easily rescinded should the City Council run into future difficulties with its own provision.

5.0 RESPONSE TO QUESTION 33

‘ The soundness of individual site allocations will be considered at Stage 2 of the Examination, and I will not be considering individual site allocations in any detail at this stage. However, is the assumption that 1060 dwellings will be delivered over the plan period as a result of windfall developments and unallocated Community Land Trust sites realistic and justified by evidence?’

- 5.1 Whilst the examination of this Plan is not currently subject to the emerging themes of the new NPPF and will be assessed under prevailing guidance, the direction of travel in relation to the need to provide tangible evidence to support new allocations or any main component of the housing trajectory or five year land supply is abundantly clear.
- 5.2 Consequently, as no CLT sites have been either identified or allocated the intention to provide 1060 dwellings during the Plan period on Community Land Trust sites, based on broad and untested assumption alone, is completely unsound. Indeed, given the lack of evidence available and the absence of any tangible precedent in the district, there is little more that can be discussed in connection with this matter.
- 5.3 It is therefore wholly incumbent upon the Council to provide appropriate justification and evidence during the hearing session as to exactly how these dwellings will be delivered and (on the fundamental precept of being a ‘Plan led’ system) where these sites will actually be.
- 5.4 Essentially if sites are deemed suitable then they should be simply allocated to meet housing need. The actual method of delivery, be it via a CLT or a private developer, is not a land use planning matter.

6.0 CONCLUSIONS

- 6.1 This Matter Statement has essentially considered the housing land requirement and its relationship to employment growth. We conclude that the Plan is unsound in its present form, by reason of failing the tests of Paragraph 182 of the NPPF, namely; by not being positively prepared, justified, effective or consistent with national policy.
- 6.2 The Local Plan is **not positively prepared** as the Council has a poor record of housing delivery over the past ten years and yet seeks to mask its recent continued shortfalls by abandoning recent up to date OAN evidence in favour of a discounted standardised methodology which can only attract little weight at this time.
- 6.3 The standardised methodology, even before discount by the MoC, does not take into account the strong future economic growth potential of the district, which includes significant new strategic employment allocations and an Enterprise Zone.
- 6.4 Accordingly, the Local Plan should be based upon the OAN assessment of a minimum 12,900 dwellings per annum and urgently recover the 959 dwelling shortfall. However, we are persuaded by the evidence presented within the CRG model and so consider that an uplift to the recommended **14,300** dwellings during the Plan period would most appropriately align with the full economic growth potential of the district.
- 6.5 The Local Plan is also not **justified** as it does not reflect the most appropriate strategy, when considered against other reasonable alternatives. There is no evidence to suggest that East Cambridge cannot provide for its own indigenous needs and no evidence that the dwellings proposed to export to Peterborough ever have, or ever will, be provided.
- 6.6 Evidence from the five year housing land supply statements produced by Peterborough throughout 2017 indicate that the City Council has largely taken a 'Peterborough first' approach to date, which suggests that the current political intention could again be rescinded should the City Council run into future difficulties with its own provision, notably under adverse Housing Delivery Test conditions.
- 6.7 However, as no part of Paragraph 14 precludes East Cambridgeshire from meeting its fully assessed needs, there is sufficient flexibility to adapt to future rapid change.

- 6.8 Evidence from the SHLAA indicates that the largely unconstrained nature of many of the larger village settlements in the district, such as Haddenham, Sutton and Fordham, affords considerably more opportunity for further sustainable development, in viable locations, than the total number of sites which have been allocated in the district.
- 6.9 The Local Plan is not **effective**, as it makes irrational assumptions in terms of the housing market capacity of those areas where most of the new growth is concentrated. There is also a misalignment between viability and the level of critical community infrastructure required in these locations and the mechanisms identified to achieve it.
- 6.10 Therefore it is ineffective and erroneous to suggest substantial contributions to the housing land supply over the Plan period can be achieved from new allocations with no tangible evidence of likely early delivery and CLT sites which simply do not exist as they have yet to be identified.
- 6.11 These failures of the tests of soundness are indicative of a spatial strategy which is not sufficiently proportionate and which is predicated on erroneous assumptions in terms of delivery. Therefore the PSLP is **not consistent with national policy**.
- 6.12 These failures in the Plan can only be addressed by East Cambridgeshire providing for all of its own housing needs within the Plan period and so maintaining effective control over its own housing land supply. This approach must also be based on an appropriate OAN, uplifted by the evidence provided by the CRG model.
- 6.13 Finally, the delivery anticipated from the CLT sites has no supportive evidence at this time and so must be discounted from the housing trajectory.