

Strategic Planning Team
East Cambridgeshire District Council
The Grange
Nutholt Lane
Ely
Cambridgeshire
CB7 4EE

10 June 2022

Dear Sir / Madam

Re : East Cambridgeshire Local Plan Single Issue Review

Thank you for consulting the Land Promoters and Developers Federation (LPDF) on the East Cambridgeshire Local Plan Single Issue Review (SIR). The LPDF was set up in April 2018 to represent the growing number of land promoters who bring forward land through the planning system for principally housing development. Sites promoted by land promoters can range in size from 20-30 dwellings to major developments with many thousands of dwellings and are spread throughout the country. We therefore serve both the major housebuilders and small SME companies with land to meet the wide range of housing needs within the market.

Context

The LPDF do not, as a matter of course, respond to individual Local Plan consultations as we are an organisation that seeks to influence national policy formulation at a central government level. However, when an issue is raised by our members about a policy approach within a Local Plan that the LPDF considers is clearly contrary to national policy, then we will make an exception.

The LPDF consider that the approach taken by East Cambridgeshire in their SIR is clearly contrary to the guidance set out in both the National Planning Policy Framework (the Framework) and Planning Policy Guidance (PPG) and therefore we consider the SIR to be unsound. Our concerns are set out below.

Plan Period

The East Cambridgeshire SIR states that the scope of the review is to update the housing requirement from the adopted Local Plan (2015) which equated to 575 dwellings per annum, to take account of the latest Standard Method calculation which equates to 600 dwellings per annum. This action is being taken because the adopted Local Plan is now more than 5 years old and as a consequence, the Policy governing the level of development required in the district (GROWTH 1) is out of date. This has been confirmed by a recent appeal decision (APP/V0510/W/21/3282449) at paragraph 13 where the Inspector acknowledges that “It is agreed between the parties that policy GROWTH 1 is out of date since the plan is now more than five years old and the identified housing requirement can no longer be relied upon”.

The Council have considered a number of potential options to address this issue including a comprehensive review of the Local Plan, a partial review of the Local Plan focussed principally on Policy GROWTH 1 (the SIR approach) and a ‘do nothing’ option. The outcome of these considerations led the Council to pursue the SIR option.

However, as part of the SIR, the Council do not intend on extending the plan period beyond the end date of the adopted Local Plan (2031). This means that when the SIR is adopted, 2023 at the earliest, the plan period would only cover around 8 years. This approach is considered to be fundamentally flawed and contrary to guidance set out in both the Framework and the PPG.

Paragraph 20 of the Framework sets out the definition of a strategic policy and states that ‘Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision for: (a) housing (including affordable housing), employment, retail, leisure and other commercial development;....’ This means that the housing requirement of a Local Plan is considered by the Framework to be a strategic policy.

As such, paragraph 22 of the Framework states that ‘Strategic policies should look ahead over a minimum 15 year period from adoption’. As the housing requirement contained in Policy GROWTH 1 is a strategic policy, any review of that policy should look ahead a minimum of 15 years to accord with the provisions of the Framework.

In addition, East Cambridgeshire has failed to deliver sufficient dwellings to meet its annual housing requirement set out in Policy GROWTH 1 in every year since the start of the plan period in 2011. The recent appeal decision (APP/V0510/W/21/3282449) recognises this fact in paragraph 42 of the Decision Letter stating that “there has been significant under delivery against the development plan requirement to date and there can be no certainty that the strategy contained in the ECLP will deliver sufficient housing in the long-term of the plan period”.

The Council contend in paragraph 4.6 of the SIR that “The housing requirement for 2011-22 will be established as being the housing delivered between 2011-2022”, as this is consistent with guidance in PPG (ID: 68-031- 201907222) which explains that, “Step 2 of the standard method factors in past under-delivery as part of the affordability ratio, so there is no requirement to specifically address under-delivery separately when establishing the minimum annual local housing need figure”. However, the PPG (ID: 68-031-20190722) goes on to state that “Under-delivery may need to be considered where the plan being prepared is part way through its proposed plan period, and delivery falls below the housing requirement level set out in the emerging relevant strategic policies for housing”. Both of these latter points relate directly to the situation in East Cambridgeshire.

Finally, the guidance contained in the PPG (ID: 2a-012-20190220) relating to the Standard Method states that “The method provides authorities with an annual number, based on a 10 year base line, which can be applied to the whole plan period”. As the Standard Method provides a 10 year base line figure, and the East Cambridgeshire SIR will only have 8 years to run from the anticipated point of adoption, the Standard Method figure cannot be guaranteed to represent the minimum housing need required to be planned for within the district going forward. The Council is therefore relying on a proposed housing requirement for the SIR which is derived from the Standard Method, which is not fit for purpose and which is not in conformity with the guidance set out in the PPG.

Conclusion

The LPDF consider that for the reasons set out above, the East Cambridgeshire SIR is fundamentally flawed, and the approach the Council has taken with regards to the housing requirement proposed in Policy GROWTH 1 is not in conformity with the guidance set out in the Framework or the PPG.

Strategic policies such as GROWTH 1 should look forward for a minimum of 15 years and the LPDF consider that the Council needs to follow this approach with its SIR. This could mean that the Council need to urgently undertake a more thorough review of its adopted Local Plan to ensure that its

strategies for housing and employment growth, infrastructure provision and other policies are aligned.

Yours faithfully



Phill Bamford

Associate Director of Policy and Research