

6<sup>th</sup> June 2022

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Dear Sir/Madam,

**East Cambridgeshire Local Plan – Single Issue Review (SIR) (of its 2015 Local Plan) Proposed Submission Stage (Reg 19) Consultation**

I refer to the above document and the consultation upon its contents. Please accept this letter as our response on behalf of our client, Land Allocation Ltd, to the above consultation. Further to our previous representations dated 7<sup>th</sup> May 2021 and 4<sup>th</sup> February 2022 in response to the previous consultations on the SIR of the 2015 East Cambridgeshire Local Plan (Local Plan 2015), we wish to make representations on the latest consultation.

This representation comments on the proposed changes suggested through the six proposals which have been maintained from previous consultations (other than some minor amendments).

**Proposal 1 – Scope of Changes**

This final consultation maintains the focus of the changes arising from the SIR are on sections 3.2 (Level of Growth and 3.5 (Delivery of Growth) of the Local Plan 2015, specifically;

- Paragraphs 3.2.3 – 3.2.5, under the sub-heading ‘Level of housing growth’;
- Policy Growth 1, but limited to the first bullet point of Growth 1 only (which relates to the housing requirement for the district); and
- Paragraphs 3.5.5 – 3.5.7, under the subheading ‘Housing Delivery,’ this being necessary as a consequence of updating the above.

Following our previous representations, we maintain that along with the first bullet point of Growth 1 being reviewed and updated, the second bullet point of Growth 1, which considers job growth, should also be considered in tandem, as this would ensure that there is sufficient employment in the district, alongside a suitable and deliverable supply of homes.

We have previously stressed the importance of an economic uplift, and we can still see no mention of it in this latest consultation nor in consideration of the housing requirement, despite the enablement of economic growth being a key priority for the existing Plan. As stated in previous representations, the PPG identifies other factors which need to be considered when determining the housing requirement, including growth strategies, planned infrastructure, previous levels of delivery and recent assessments of need such as Strategic Housing Market Assessments (SHMA), where this suggests a higher need (PPG ID 2A-010). The housing requirement shouldn't be considered in isolation, and the plan must be aspirational but deliverable to be positively prepared (NPPF, paragraph 16).

### **Proposal 2 – Plan Period**

It is understood that the Council still do not intend to amend the overall 2015 Local Plan Period of 2011-2031. We note the Council's comments at Paragraph 3.4 of the consultation document, which considers that extending the plan period will have considerable implications and will result in the need for a full Plan update, requiring substantial additional work (including the potential need for additional employment land) and that a comprehensive update of the Local Plan will be undertaken once clarity is available in respect to the forthcoming Planning Act. It is considered that a comprehensive review ahead of such changes could lead to considerable resource expenditure and the potential of such a Plan not being completed.

As previously stated in previous representations, the NPPF seeks for strategic policies to look ahead over a minimum of 15 years from adoption, which will allow for anticipation and response to long-term requirements and opportunities. The latest iteration of the NPPF (July 2021) has furthered this by seeking for policies with a vision of at least 30 years where larger-scale developments, such as new settlements or significant extensions to existing villages and towns, form part of the strategy for the area, in order to take into account the likely timescale for delivery (Paragraph 22). The NPPF also seeks an identified supply of developable sites or broad locations for growth in years 6-10, and where possible, years 11-15 within a plan, which is in addition to a specific and deliverable supply of sites for the first five years. (Paragraph 68 b) Therefore, we continue to maintain that the Council should be planning for a full plan period of a minimum of 15 years. With the proposed adoption of the SIR to be 2023, this leaves only 8 years of the remaining plan period. We maintain that compromising on the plan period could inhibit future growth, and as a result, the Plan would be at risk of not being found sound and positively prepared.

### **Proposal 3 – Site Allocations**

This latest consultation maintains that no further allocations are proposed as a consequence of the SIR due to the volume of existing housing site 'commitments' (such as sites with planning permissions and other sites which are allocated for development via the 2015 Local Plan or more recent Neighbourhood Plans) are considered to comfortably exceed the quantum of the new housing requirement figure arising from the SIR. In addition, it has

been considered that a review of the site allocations, and consideration of new site allocations, would require considerable work and delay the review process and therefore has been rejected as an option.

However, the Inspector, in a recently published (February 2022) appeal decision following a public inquiry at Land North East of Broad Piece, Soham (Appeal Ref: APP/V0510/W/21/3282449), at Paragraph 18 considers:

*“Similarly, policy GROWTH 4 only makes allocations with the objective of delivering against the out-of-date housing requirement. The past shortfalls in delivery against the plan requirement are indicative that the allocations are not meeting housing needs and may be insufficient. Even if the Council can currently demonstrate a deliverable housing land supply in the region is suggests against its Local Housing Need, that does not make the long-term strategy of the ECLP any more reliable when it comes to housing delivery.”*

We maintain that the SHMA, last updated in 2014, is dated and therefore, steps should be taken to ensure those sites within the five-year housing land supply are genuinely deliverable, and evidenced as such, alongside those sites contributing to years 6-10 and beyond also being identified and demonstrated to be developable, although we note that the short plan period prevents this. We note that this latest consultation still does not provide the deliverability evidence for the existing housing ‘commitments’, including those which have been included in the housing supply due to their allocation; deliverability evidence of all sites included within the supply should be provided irrespective of their allocated status or otherwise. As per our previous representations, it is our understanding that reference is made at Paragraph 3.5.5 of the current East Cambridgeshire Local Plan 2015 to outstanding allocations from the 2000 Local Plan. Due to the time elapsed and their subsequent age, deliverability evidence should be produced as to whether these allocations are truly deliverable.

#### **Proposal 4 – the Housing Requirement**

This latest consultation maintains that the Council intends to establish the new housing requirement in line with national policy, calculated using the standard method. The consultation also refers to comments received at previous consultation stages, suggesting that the standard method for calculating housing need should be treated as a minimum, that consideration should be given to the Oxford-Cambridge Arc and whether East Cambridgeshire would be required to locate housing need from a neighbouring district, under the Duty to Cooperate.

As per our previous representations on prior consultations, we consider that it is appropriate to use the current agreed method of the time to derive housing need, which in this instance is the Standard Method based on the 2014 population projections. However, we also maintain that, as per the NPPF and the NPPG, both are clear that the standard method represents the “...minimum number of homes needed...” (Paragraph 61) The Plan must respond to the Government’s key objective of boosting the supply of housing, which a plan utilising a lower housing figure is unlikely to achieve. It is important that there is flexibility in the number of housing allocations to ensure that a five-year housing land supply can be maintained over the plan period in order to meet the

housing requirement. Therefore, the Council should still be seeking to over-allocate housing land to ensure flexibility, choice and competition in the housing market, reflecting government guidance.

Paragraph 4.3 of this consultation document considers that as of April 2022, including the March 2022 affordability ratios, the local housing need for East Cambridgeshire is 599.78 dwellings per annum, a total of 5,398 dwellings are needed between 2022-2031. However, since the housing delivery of year 2021/2022 is currently unknown, the total requirement figure for the rest of the plan period cannot be known. The current consultation considers, indicatively, that this figure may be around or just under 9,000. Therefore, Policy Growth 1 is proposed to be updated to have a housing requirement which matches this sum. It is also proposed that the total housing requirement will be split into two elements; first for the period 2011-22, and second for the period 2022-31. It is considered that by doing this, this will be consistent with calculations associated with 'five year land supply.'

We highlight the Inspector's comments in the Broad Piece, Soham appeal where at Paragraph 15, the Inspector considers:

*"What is known, is that the balance of the need identified at the plan making stage will no longer be accommodated by adjoining authorities. In addition to that balance of 1,500 homes that the plan does not seek to deliver, there has been a significant shortfall against the ECLP housing requirement to date, meaning that the plan cannot be said to have been effective in delivering the anticipated housing need to date."*

They continue at Paragraph 16:

*"Whilst there is no dispute that for the purposes of calculating housing land supply, the standard method should now be used and that this seeks to address past shortfalls, that does not make the hefty shortfalls against the ECLP requirement immaterial. It is, in my view, any important indication that the ECLP has not been effective in meeting housing needs since the beginning of the plan period and casts further doubt as to whether the Council's locational strategy can be relied upon to significantly boost housing delivery in line with the National Planning Policy Framework (the Framework). The latest HDT results, whilst showing an improved position in the district, still indicate that sufficient housing has not been delivered over the past three years, as has been the case in this district against previous HDT results published by the Government."*

As per our previous representations, the Government's affordability figures are likely to fluctuate in any given year. The Local Housing Need figure, when calculated using the Standard Method, can also fluctuate year to year based upon the housing projections. The latest Five Year Housing Land Supply report is still from October 2021, although we note that the Inspector for the Broad Piece, Soham appeal did not conclusively decide on this matter, only that ECDC can demonstrate a deliverable five-year housing land supply (Paragraph 26).

We maintain from previous representations that a buffer should also be provided in order to maintain flexibility and to take into account any fluctuations that may occur on a yearly basis. A 5% buffer above the housing requirement figure is unlikely to be sufficient; just as the Local Housing Need can fluctuate, so can the buffer that is required in regard to the five-year housing land supply. Usually, with a confirmed five-year housing land supply, a 10% buffer would apply unless the rate of deliverability falls over the plan period, in which case a 20% buffer would apply. To ensure the plan is future-proofed and enough flexibility, choice and competition has been provided for in the housing market, in order to reflect government guidance, we consider that a 20% buffer in addition to the housing need figure would provide this. We cannot see that a buffer has been applied to the current housing need suggested in this current consultation.

We note at Paragraph 3.8 of this current consultation that:

*“Some of the comments received at the first consultation stage suggested that the national standard method for calculating housing need should be treated as a minimum, with the housing requirement set higher. Other factors, it was stated, should be considered, such as economic growth and the impact of the Oxford-Cambridge Arc. Also, under the Duty-to-Cooperate with a neighbouring district, there may be a requirement for some of their housing need to be located in East Cambridgeshire. Taking these factors into account could considerably increase the housing needs for the district, representors suggested”*

No explanation or consideration is given in the latest consultation to the lack of factoring in economic growth into the housing requirement. We have highlighted in earlier representations as well as in comments under Proposal 1 as to why an economic uplift should be considered of central importance when considering the housing need for an area.

We maintain that in order to be found sound, the Local Plan should be targeting higher growth than the Local Housing Need calculated using the Standard Methodology. The Local Housing Need should be calculated using the most up-to-date data, and the Local Housing Need should be the starting point for establishing the Housing Requirement for the Plan Period. We consider that a housing requirement uplift is necessary to support economic growth and that a 20% buffer above the uplift for economic growth would ensure that the plan is future-proofed and provides flexibility, choice and competition in the housing market, reflecting government guidance.

### **Proposal 5 – Broad Allocations**

Following representations made in the first consultation on the SIR, the Council determined that there was no need to significantly amend the text of the Broad Areas for Housing (with these broad areas located only at Littleport and Soham). Therefore, it was proposed that the Broad Areas would remain in the Local Plan as present, being indicative locations that would be developed in the future; however, the second consultation saw ECDC remove any assumed supply from such areas for the period to 2031 due to the Council’s confidence that

it can demonstrate a considerable excess of supply above the identified housing requirement, negating the need to rely on any supply from the Broad Areas for the rest of the current plan period.

Since these previous consultations, the Broad Piece, Soham appeal has been published and has been considered in this current consultation. Whilst the Inspector makes comment on the Broad Areas for growth, which they considered were anticipated delivery outside of development envelopes, we refer back to the previous appeal paragraphs highlighted in our representations on Proposals 3 and 4, highlighting concern over the existing allocations and the significant shortfall against the Local Plan 2015 requirement resulting in a plan that has not been effective in delivering the anticipated housing need to date.

We note that the SIR intends to retain the Broad Areas as identified, however to not firm them up into specific allocations, acknowledge the expectation of delivery from such areas in the unaltered plan period to 2031 and acknowledge in the supporting text that the principle of development in the Broad Areas is now established.

As per our previous representations, we maintain that development within rural areas should also be considered and supported. Whilst the urban areas should be the focus for housing and employment growth, the rural areas should also be locations for some growth within smaller villages already considered sustainable. Permitting development in these sustainable villages would help to assist in the maintenance of the vitality of the rural areas. It is often the case that these smaller sites can be delivered at a faster rate than larger, allocated sites, and therefore, they should form an important contribution to the Council's five-year housing land supply, which would help the Council to maintain a healthy and constant supply of deliverable sites.

### **Proposal 6 – Consequential changes**

In this latest consultation, following no substantive comments, the Council intends to progress forward as originally stated, with minor consequential changes to the plan, including brief text in section 1, explaining the changes arising from the SIR as well as the process.

We maintain our comments in previous representations that in the absence of a creation of a new Local Plan or a full review, at the very least, all areas of non-conformity with the NPPF should be considered.

In previous representations, we have considered the importance of existing defined development limits/envelopes and whether a review of the defined development limits is necessary. We maintain that there have been changes in planning policy, housing need and requirements since the drawing of the development limits/envelopes, and not only are they a dated concept, however if development limits/envelopes are not drawn to deliver the appropriate housing requirement, this may lead to deliverable planning permissions being located outside of these development limits. This is a view supported by the Broad Piece, Soham appeal at Paragraph 14 in which the Inspector states:

*“This requirement cannot be relied upon and the amount of housing now needed in the district within this plan period to 2031 is uncertain, as is the question of whether the need can be accommodated within existing settlement envelopes and/or whether sufficient housing allocations exist.”*

As highlighted by the Inspector in Paragraph 17 of the aforementioned appeal decision, development out with defined settlement envelopes was already anticipated through the Local Plan 2015, at the Broad Areas discussed at Proposal 5. We, therefore, continue to be disappointed that the concept of development limits/envelopes is not being reconsidered and maintain that this lack of a review and any subsequent amendments or removal of development limits an inhibitor to future growth.

Considering the very limited proposed changes under the SIR, we question how the SIR will create a more effective plan, in order to deliver the amended housing requirement.

### **Specific Proposed Changes to the Local Plan**

Whilst the above comments under each of the six proposals incorporate our representations on the suggested amendments proposed by the SIR, we note that Proposed Ref Change 6, a specific change of wording to Paragraph 3.5.6:

*“The latest projections (as at October 2021) indicate that over 11,000 additional dwellings could come forward between 2011 and 2031, with a further identifiable supply of over 2,000 dwellings beyond the plan period (i.e. post 2031).”*

However, Paragraph 5.2 of the consultation document suggests that the October 2021 five-year housing land supply report identifies a total future supply (i.e supply from 1<sup>st</sup> April 2021) of over 10,000 homes. We question this discrepancy and maintain that deliverability evidence of all sites should be produced.

We thank you for the opportunity to make these representations, and we hope they are taken into consideration.

Yours Sincerely,

A black rectangular redaction box covering the signature of Helen Wilkinson.

Helen Wilkinson

**AAH Planning Consultants**