

CORE STRATEGY FOR CHILTERN DISTRICT - EXAMINATION

INSPECTOR'S AGENDA: HEARING, TUESDAY 12 APRIL (2nd session)

Main Matter 3

There is a separate agenda for the 1st session on MM2. There will be a short adjournment (or the lunch break) before the start of the 2nd session so that participants involved solely with MM3 can take their places.

This agenda draws on the main questions set out in the Main Matters and Questions 21 February. These are indicated thus (Q4.1). The order of some of these questions has been changed. Additional, follow-up questions and comments are shown in *italics*.

Overarching issues

Is the Core Strategy in general conformity with South East Plan (SEP)? Is housing provision below that required by the SEP justified by local circumstances (as demonstrated in evidence by the Council)? Are there reasonable prospects for the delivery of the proposed housing in accordance with the advice in PPS3?

I am confused as to the Council's position. The Council does not appear to be actively justifying the 2,400 total set out in the submitted CS. The Council's recent evidence in the updated SHLAA and Housing Trajectory demonstrates (subject to further consideration at the hearing) that materially more than 2,400 dwellings could be accommodated in accordance with the intended strategy. CND117, Appendix 2 puts forward new text in paragraph 4.2.8 which refers to around 2,550 dwellings or a range of between 2,550 to 2,900, but no change is proposed to the total housing figure in policy CS2. The Council needs to clarify at the outset of the hearing what its position is in relation to the soundness of the submitted plan on this matter and, if considered unsound, to put forward a coherent set of changes. If additional changes are to be suggested these should be made available by the morning of Monday 11th.

Based on all the written evidence and statements, it would be very unlikely that I would be able to conclude that the submitted Core Strategy's proposed 2,400 dwellings is in general conformity with South East Plan or that provision 17% below the requirement of the SEP is justified by local evidence. Any material change to the overall housing figure or the supporting justification (including the new text already suggested by the Council) would not be a minor change and would need to be the subject of appropriate consultation after the hearings.

The focus of the discussion at the hearing will need to be informed by the Council's explanation of its position.

Overall provision and relationship to the South East Plan (SEP)

Q4.2 By proposing 2,400 dwellings, rather than the 2,900 set out in the SEP, is the Core Strategy in general conformity with the SEP? Would some degree of variation from 2,900 still keep the Core Strategy in general conformity?

Subject to the Council's clarification requested above, my previous questions Q4.3 & Q4.4 should not need to be explored further as the Council is proposing the deletion of the existing text in section 4.2 of the Core Strategy and accepts that the SEP is the starting point for determining housing provision in the district.

Does the evidence regarding household and population growth in CDN114 provide support for a housing figure below the 2,900 set out in the SEP?

Is the Council's strategy for housing consistent with the aims of the Ministerial Statement: Planning for Growth issued on 23 March 2011?

Land supply and delivery

I have adapted my previous questions in the light of the Council's new evidence in CDN113, CND115 115/a.

Is the Council's assessment of delivery from sites with planning permission justified, including the 10% non implementation rate for site of 1-4 dwellings?

(Q4.12) Is the assessment of the sites in the SHLAA (CDN115) without planning permission and not allocated in the Core Strategy consistent with the advice in PPS3 (paragraphs 55 & 56)? Is the Council's assessment that sites in multiple ownership have *reasonable prospects* of being developed, realistic?

(Q4.13) Is the approach to the density of sites in the SHLAA set out in CDN115a justified and appropriate?

Q4.14 The SHLAA (CDNO88 and CDN115) excludes sites in a number of categories of location/constraint. If land supply is a constraint on deliverability, should the contribution of sites within any of the excluded categories be reviewed? Could any of these categories make a material contribution to land supply as part of the existing strategy (in policy CS1) or would they require a change of strategy?

Does the exclusion of any provision from SHLAA sites in Conservation Areas, Areas of Established Character, on car parks, and in areas identified in the Townscape Character Assessment (CDN112) as areas of limited or very limited capacity to accommodate change, mean that the SHLAA estimates are more cautious/robust that if such exclusions were not made? Is it likely that some additional dwellings will be built in these areas over the plan period?

My understanding is that the sites listed in Table 2 of CDN115 are additional to the sites already excluded from the 2010 SHLAA (because of the other designations referred to above). Is this correct?

(Q4.16) Is the Council's assessment of delivery from small sites (not captured in the SHLAA) realistic? How does such an assessment take into account the changes to PPS3 (June 2010)?

Given footnote 31 in PPS3, which defines windfalls as sites not identified and comprising previously developed sites, can the contribution from small sites on garden land now be described as *windfalls*. Should they be described as something else? Is the Council suggested revised definition of windfalls (CND117 Appendix 2, footnote 10) appropriate?

Is it reasonable and consistent with PPS3 for the Trajectory (CDN113, Tables 3 and 5) to include a contribution from small identified sites in years 10-15?

Council to clarify whether it is relying on a contribution from small unidentified sites in years 1-10. If it is, then a clear justification is required to meet the test in PPS3 (paragraph 58)? Discussion, if required.

In CDN113, Tables 3 and 5, the housing supply is based on delivering at least the minimum annual requirement consistently each year (120 dwellings p.a. for 2,400 and 145 dwelling p.a. for 2,900). Bearing in mind the absence of any phasing, is this assumption necessary for the housing supply to accord with the SEP or PPS3?

If it is not necessary to achieve the annual requirement consistently each year, does the Council consider that there would be reasonable prospects of delivering 2,900 dwellings by 2026. If not, what would be the maximum figure for which there are reasonable prospects? Discussion.

Does the Council still intend to allocate an appropriate number of SHLAA sites through a Delivery DPD?

Other points

Q4.19 Are the indicators after policy CS2 adequate to measure whether the policy is being implemented effectively? Should there be monitoring of where development is taking place and/or its relationship to accessible/sustainable locations? *(See also similar question in relation to targets for strategic objectives under MM1.)*

Are there any elements of flexibility in the likely supply of new homes to ensure that the selected level of overall provision is achieved even if some identified sites do not deliver as expected?

Q4.20 Should any action be proposed if the delivery of new homes falls behind the rate necessary to ensure total provision is delivered within the plan period? If so, how?

Simon Emerson
INSPECTOR
30 March 2011