

**Hart District Local Plan 2011-2032**

**Refined Options for Delivering New Homes  
Draft Vision & Strategic Priorities**

***Consultation closes 4pm Friday 18 March 2016***

**Response Form**

This new consultation replaces the earlier consultation which started in November 2015 and was stopped on 14 January 2016 because it became apparent, following feedback from local residents, that not all the settlements that were anticipated to be included within one of the key questions had been correctly captured.

If you have read the new consultation material and would like to re-submit your original response please visit [www.hart.gov.uk/confirmation-of-local-plan-response](http://www.hart.gov.uk/confirmation-of-local-plan-response) or email [planningpolicy@hart.gov.uk](mailto:planningpolicy@hart.gov.uk).

\*Indicates a required field.

**Name:\***

You must give us your name otherwise it will invalidate your response to this consultation.

Winchfield Parish Council

**Postcode:\***

You must give us your full postcode. Invalid postcodes will invalidate your response to this consultation.

RG27 8BZ

**If you would like to be sent a copy of the results of this consultation and to hear about future local plan consultations please enter your email address below:**

[clerk.winchfield@parish.hants.gov.uk](mailto:clerk.winchfield@parish.hants.gov.uk)

## Consultation questions regarding the Refined Options for Delivering New Homes

**You need not answer every question or make comments but you must answer Questions 4 and 5 and you must complete those two questions in full by ranking all preferences otherwise it will invalidate your response.**

**Q1. Do you have any comments on how to meet the needs of specialist groups such as affordable and Starter Homes, Custom or self-build homes, specialist homes for older people, and sites for the Travelling Community?**

This submission by Winchfield Parish Council has been prepared under the Council's guidance and direction by JB Planning Associates Ltd.

### **Specialist Homes for Older People**

The National Planning Policy Framework expects local authorities to “**deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable and inclusive, mixed communities**” (Paragraph 50, NPPF). Specifically, local authorities are asked to:

- “**plan for a mix of housing based on current and future demographic trends, market trends 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);**
- **identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand**”.

When planning to meet local demand, it is clear that a key issue that the Local Plan should address is the District's ageing population, as acknowledged by Key Issue 2 in the Council's Draft Vision and Strategic Priorities document. Census data reveals that between 2001 and 2011, the older population (65+) in Hart increased by 41% (4,400), and further analysis carried out in the Strategic Housing Market Assessment (SHMA, 2014) suggest that there has been a particularly significant increase in the number of people of advanced old age (85+).

With these trends forecast to continue, a significant proportion of the new homes to be provided in Hart over the plan period will need to be suitable for the needs of older people. The estimated requirement for specialist housing is set out in the following table taken from the Council's SHMA:-

**Figure 10.15: Estimated Requirement for Specialist Housing (2012-30)**

	Hart	Rushmoor	Surrey Heath	HMA
Sheltered – affordable	570	340	480	1,380
Sheltered – market	570	160	530	1,270
Extra care – affordable	250	210	270	730
Extra care – market	0	0	20	20
<b>Total</b>	<b>1,390</b>	<b>710</b>	<b>1,310</b>	<b>3,400</b>
Per annum	80	40	70	190
Registered care (total)	940	600	420	1,960

Source: Housing LIN

The total for Hart over the period 2012-30 is 1,390 units, and if this is extended back to 2011 and out to 2032 at the 80 dpa (dwellings per annum) rate to cover the full extent of the plan period, then the requirement becomes 1,630 units. When the requirement for registered care housing is added then the total becomes 2,570 additional units over the plan period.

In terms of addressing the needs of the elderly within Hart, it is fundamental that housing is provided in the right locations. In this regard, Housing LIN<sup>1</sup> has developed a toolkit 'Planning Ahead for Specialist Housing for Elderly People' (2012) which identifies that the success of schemes for specialist housing is largely dependent on site location. Relative to retirement housing and Extra Care schemes, good sites tend to be:-

- Well-located and prominent – the most popular schemes are located in busy areas with good access.
- Within a catchment area with a specific need for this form of accommodation and able to support the proposed tenures.
- Usually between 0.5 to 1.5 acres (0.2 to 0.6 hectares).
- Close to an established town centre and public transport, usually meaning the development of brownfield sites.
- Sufficiently close to shops, amenities and facilities (such as a GP surgery and hairdressers) with ideally a level and safe route of access.

Given the importance of accessibility to existing services and facilities to older people, particularly those who are less mobile, coupled with a strong desire to remain in their existing communities where they have social ties, it would clearly be inappropriate to meet the needs of the elderly through a new settlement option. Any contribution in terms of actual housing supply from a new settlement would be likely to take a considerable period of time, and it would be even longer until the full range of shops, amenities and services are provided to support the needs of the elderly.

Therefore, if the Local Plan is to meet the significant housing demand of Hart's ageing population, then the housing strategy clearly needs to focus on providing the right types of dwelling to meet the specific needs of the elderly and in the most sustainable existing settlements in the District. When considering how to meet the needs of the elderly, the Council should consider opportunities presented by schemes such as Cheyne Capital's

<sup>1</sup> **The Housing Learning and Improvement Network (LIN)**, is the leading 'knowledge hub' for a growing network of housing, health and social care professionals in England involved in planning, commissioning, designing, funding, building and managing housing with care for older people.  
<http://www.housinglin.org.uk/>

decision to invest £850m in social housing over the next three years in a bid to tackle Britain's housing crisis. Cheyne Capital has already reached agreements with Luton Borough Council that will see 480 affordable homes developed, and it is reportedly keen to establish partnerships with other Councils and invest in homes for the elderly<sup>2</sup>.

A direct consequence of such an approach is that, through providing enough homes for the elderly, this will help release larger and under-occupied properties back onto the market and effect a movement throughout the housing market. The SHMA (figure 10.8) identifies that the proportion of older person householders who are home owners is particularly high in Hart (86%). Many will continue to occupy family sized dwellings, which they have retained because they wish to remain living in the property and area for as long as they can. If the future needs of these residents is met by a range of specialist housing provided for through the Local Plan, then this would inevitably help free up family sized dwellings and reduce the associated need for new family sized homes to be provided.

With respect to meeting the significant need for elderly accommodation over the plan period, Winchfield Parish Council also wish to raise concern over the Hart District Council's lack of effective means of measuring how many specialist units for the elderly have been built or permitted since the start of the plan period. To plan properly for the needs of specialist groups over the plan period, the District Council should be doing more to keep track of how many specialist units have been built or permitted, and this information should be published through its Annual Monitoring Report (AMR).

### **Starter Homes**

At the opposite end of the age spectrum, the housing needs of Hart's younger residents, particularly first time buyers is a further critical issue for the plan to address. As identified on page 12 of the consultation paper, house prices in Hart have increased significantly in the last five years and around 40% of newly forming households have incomes lower than that needed to buy or rent. To address this issue the Government has recently introduced a 'Starter Homes exception site policy', which helps to meet the housing needs of young first time buyers by allowing Starter Homes to be offered to them at below their open market value.

The National Planning Practice Guidance (NPPG) explains that **"The exception site policy enables applications for development for Starter Homes on under-used or unviable industrial and commercial land that has not been currently identified for housing. It also encourages local planning authorities not to seek section 106 affordable housing and tariff-style contributions that would otherwise apply. Local planning authorities should work in a positive and proactive way with landowners and developers to secure a supply of land suitable for Starter Homes exception sites to deliver housing for young first time buyers in their area."**<sup>3</sup>

Furthermore **"Starter Homes exception sites are expected to be on land that has been in commercial or industrial use, and which has not currently been identified for residential development. Suitable sites are likely to be under-used or no longer viable for commercial or industrial purposes, but with remediation and infrastructure costs that are not too great so as to render Starter Homes financially unviable."**<sup>4</sup>

<sup>2</sup> The Sunday Times (6 March 2016) "Hedge fund moves into Luton council houses"

<sup>3</sup> NPPG Reference ID: 55-001-20150318

<sup>4</sup> NPPG Reference ID: 55-007-20150318

The NPPG is therefore clear that Hart should be looking to brownfield land when planning for the needs of its younger population. In doing so, it should be looking to sites which are not currently identified for housing, possibly due to viability issues. Furthermore, the recently published consultation document on proposed changes to national planning policy<sup>5</sup> identifies that the Government want to ensure that unviable or underused commercial and employment land is released under the exception site policy by making it clear, through amending paragraph 22 of the NPPF, that such should be released unless there is significant and compelling evidence to justify why such land should be retained for employment uses. In addition, the Government is also proposing to widen the scope of the current exception site policy to incorporate other forms of unviable or underused brownfield land, such as land previously in use for retail, leisure and non-residential uses (such as former health and education sites). To provide greater certainty that planning permission will be granted for starter homes on exemption sites, the Government also proposes to make clear that applications can only be rejected if there are overriding design, infrastructure and local environment considerations that cannot be mitigated. Lastly, in an announcement on 4 January 2015, Prime Minister David Cameron said a £1.2 billion fund to build 30,000 affordable starter homes and 30,000 homes for market sale on underused brownfield land over the next five years would be created.

In this context, whilst Appendix 1 of the consultation paper identifies an indicative housing capacity of 453 dwellings across the brownfield Strategic Housing Land Availability Assessment (SHLAA) sites considered by the Council to be suitable for development, considerably more dwellings could be accommodated on brownfield land that has either been discounted in the SHLAA or more likely, yet to be identified. Further consideration to the capacity of brownfield land in the District to accommodate development is given later in our representations, in response to Question 5, with reference to a report prepared for the Council by Stonegate Homes.

In this regard we note that the consultation document includes a 'Call for Brownfield Sites' and thus further opportunities may present themselves. However, it is a significant oversight of the Council not to promote, or even refer to, the opportunities presented by the Government's Starter Homes exception site policy in the Call for Sites form. To demonstrate compliance with national policy, the Council should clearly be doing more to encourage brownfield development through working in a positive and proactive way with landowners and developers to identify opportunities to develop under-used and unviable brownfield land for Starter Homes.

We understand that the Council is also in the process of identifying 'zones of brownfield opportunity' on sites or areas where B1 office uses are experiencing high levels of, or long term, vacancy rates. In doing so, the Council should, to comply with current and emerging guidance on Starter Homes, be extending this search to include all commercial and employment land, and also land previously in use for retail, leisure and non-residential uses, that is under-used or no longer viable for such purposes.

Again, with respect to monitoring the progress of delivering starter homes of the plan period, Winchfield Parish Council also wish to raise concern over the lack of existing measures in place. We request that the Council is more proactive in keeping track of how many specialist units have been built or permitted, and that it publishes this information through its Annual Monitoring Report (AMR)

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<sup>5</sup> DCLG (December 2015) "Consultation on proposed changes to national planning policy"

### Custom and Self-build

As mentioned above Paragraph 159 of the NPPF identifies that a Strategic Housing Market Assessment (SHMA) should address the need for all types of housing and the needs of different groups in the community **“including people wishing to build their own homes.”** To meet this requirement national policy requires local authorities to maintain a register of self-builders so that they can measure interest and as a means of matching builders to brownfield sites that might become available.<sup>6</sup>

Again clearly the emphasis of national policy is on delivery on brownfield land. We note from the consultation document that the Council has created a self-build register and is inviting individuals or groups to register their interest.

### Travelling Communities

The ‘National Planning Policy for Traveller Sites’ (August 2015) requires Local Planning Authorities to make their own assessment of need when planning for Gypsy and Traveller sites, and to prepare and maintain an up-to-date understanding of accommodation needs. Local Planning Authorities (LPAs) are expected to cooperate with travellers, their representative bodies, and local support groups; other local authorities and relevant interest groups. Once the evidence base has been established and when identifying a supply of specific sites, LPAs are required to relate the number of pitches or plots to the circumstances of the specific size and location of a site and the surrounding population’s size and density.

The ‘National Planning Policy for Traveller Sites’ makes clear that a key Government aim in respect of planning for Traveller Sites is **“to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure”**. Therefore, clearly the Council should be looking towards the most sustainable settlements in the district when seeking to meet the accommodation needs of Hart’s Travelling Communities.

A further consideration to this matter is existing provision, and in this regard we note from the Council’s ‘Gypsy and Traveller Accommodation Assessment’ (2013) that Hart already accommodates over half of Hampshire’s Local Authority pitches. The ‘National Planning Policy for Traveller Sites’ identifies that a further Government aim in respect of traveller sites is that LPAs develop fair and effective strategies to meet need through the identification of land for sites. Given that the District already accommodates a significant proportion of Hampshire’s pitches we consider that the onus should be on other authorities within the County to meet the needs of travelling communities.

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<sup>6</sup> DCLG Press Release (17 Sept 2013) “More government support for self-build surge”  
<https://www.gov.uk/government/news/don-foster-more-government-support-for-self-build-surge>

**Q2. Where are the sites within Hart District that you think may be appropriate for:**

a) Affordable and Starter Homes?

As identified in our response to Question 1, to accord with national policy the Council should be working in a positive and pro-active way to secure a supply of under-used or unviable brownfield sites for the development of Starter Homes.

b) Custom and Self Build?

As identified in our response to Question 1, to accord with national policy the Council should be maintaining a register of self-builders so that they can measure interest and as a means of matching builders to brownfield sites that might become available.

The Council should also encourage self-builders to consider suitable infill sites, including spare land and garden plots within existing settlements, and thus optimise their potential to accommodate development.

c) Homes for older people?

As identified in our response to Question 1, if the Local Plan is to meet the significant housing demand of Hart's ageing population then the housing strategy clearly needs to focus on providing the right types of dwelling to meet the specific needs of the elderly and in the most sustainable existing settlements in the District, where facilities and local transportation is already in place to service their needs.

d) Travelling communities?

As identified in our response to Question 1, to accord with national policy, any need for Hart to accommodate further pitches during the plan period should be challenged given that the District already accommodates more than its fair share. Should Hart need to accommodate further pitches during the Plan Period, then the housing strategy clearly needs to focus on providing pitches in the most sustainable existing settlements in the District.

**Q3. Do you agree with the current Settlement Hierarchy? (Please tick)**

The Council has an existing Settlement Hierarchy (2010) which is:

<b>Tier 1</b>	Main Urban Area	Fleet, including Church Crookham and Elvetham Heath
<b>Tier 2</b>	Primary Local Service Centres	Blackwater & Hawley, Hook, Yateley
<b>Tier 3</b>	Secondary Local Service Centres	Hartley Wintney, Odiham & North Warnborough



<b>Tier 4</b>	Main Villages	RAF Odiham, Crondall, Crookham Village, Dogmersfield, Ewshot, Eversley, Long Sutton, Rotherwick, South Warnborough
<b>Tier 5</b>	All remaining villages and hamlets	

Yes	
No	✓

### If not, how should it be changed?

As an initial remark, we note that the Council's proposed 'Settlement Hierarchy' is based on analysis undertaken in 2010 of the population and facilities and services available within Hart's settlements. We question whether this is the most appropriate evidence base to use given its age, and we suggest that the Council undertakes a review of the previous assessment to ensure that the 'Settlement Hierarchy' reflects the latest position with respect to the sustainability of each settlement.

In terms of utilising the 'Settlement Hierarchy' as a method of dispersal we consider it a flawed approach for the Council to only be considering growth in the higher order settlements. Such an approach does not reflect the response to the last consultation on the 'Housing Development Options Paper' (2014), in which 322 respondents answered "yes" in response to the question of whether even the smallest villages should see new homes, and 151 said "no". This clearly demonstrates that there is local support for development to be dispersed across all settlements.

Furthermore, national planning policy and guidance is clear that the provision of a limited number of new dwellings within rural villages will enhance the sustainability of such settlements by providing additional demand for local services and facilities. This is acknowledged in paragraph 55 of the NPPF, which states that **"to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities"**. The NPPG adds that **"all settlements can play a role in delivering sustainable development in rural areas – and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence."**<sup>7</sup>

National policy is therefore clear that a proportionate level of development can bring new life to established societies within villages and can help sustain existing services and potentially generate custom for new facilities. Given the critical decisions that need to be made in Hart over the distribution of housing growth, the Council should be doing all that it can to ensure that the 'Settlement Hierarchy' and associated development strategy reflects local support and that the vitality of all of Hart's settlements is enhanced or maintained over the plan period.

<sup>7</sup> Reference ID: 50-001-20140306

In this context, the Council will be aware that Winchfield Parish Council is in the process of preparing a 'Neighbourhood Plan'. Draft version 6.2 (November 2015) sets out, in Section 4, the housing need for Winchfield Parish and how the existing community considers that this need should be met in a sustainable way over the plan period. The objectively assessed housing need for Winchfield Parish has been identified as 76 houses over the period 2015 to 2032, of which 26 have already been granted planning permission. The remaining 50 are expected to be delivered evenly over the plan period through a combination of new unobtrusive developments on brownfield sites and a number of sensitive developments (of up to seven houses) on existing residential land.

**Our priority will be to deliver new homes on brownfield land (land that has previously been developed). However we do not think there will be enough brownfield land available to meet our needs. Any development that cannot be built on 'brownfield land' will have to be delivered elsewhere. This will essentially be on 'greenfield' sites outside our towns and villages. The possible 'greenfield' approaches are set out in Questions 4 and 5.**

**Q4. Of the three possible approaches that could deliver new homes in Hart, which one should we prioritise to deliver the majority of our housing needs?**

**You must complete this question in full by ranking all preferences otherwise it will invalidate your response.**

Please note that this question only seeks your views on what should be our **primary** approach to delivering Hart's housing needs. It does not mean it would be our only approach. We will need to ensure that we deliver a constant supply of new homes throughout the Local Plan period. Some elements of lesser preferred approaches may need to be included in the plan.

Please rank your choice in order of preference (1 = most preferred to 3 = least preferred)

Option	Rank
<b>Approach 1:</b> <b>Disperse development throughout the towns and villages in the following parishes:</b> <i>Blackwater &amp; Hawley, Crondall, Church Crookham, Crookham Village, Dogmersfield, Elvetham Heath, Eversley, Ewshot, Fleet, Hartley Wintney, Heckfield, Hook, Rotherwick and Yateley.</i>	1
<b>Approach 2:</b>	

<b>Strategic Urban Extensions at main settlements</b> ( <i>West of Hook, Pale Lane Farm adjacent to Elvetham Heath and land west of Fleet</i> )	2
<b>Approach 3: A new settlement at Winchfield</b>	3

**Please provide any further comments on this below**

Fundamentally, it is premature for the Council to be asking consultees to identify their preferred approach for meeting its housing need, when serious questions remain over the housing provision target for the plan period.

Before considering the numbers, it is notable that there has yet to be any public consultation on the scale of Hart's 'Objectively Assessed Housing Need' (OAN). The figures presented in the Consultation Document at page 14 are presented without opportunity to pass comment. The previous Regulation 18 consultation on the 'Housing Development Options Paper' (2014) took a similar approach and consulted only on matters relating to housing distribution. The lack of consultation on the extent of need that should be met within the District is a matter that has previously been raised with the Council by Winchfield Action Group (WAG). WAG obtained a 'Joint Opinion' from Peter Village QC and Andrew Tabachnik in April 2015 on the lawfulness of the Council's intended course of action (at that time) to scrap a second Regulation 18 consultation exercise and go directly to the final Regulation 19 Pre-Submission Local Plan consultation removing the public's opportunity to be consulted on options for the scale and location of new development (a copy is included as Appendix 1).

Paragraph 24.1 of the 'Joint Opinion' identified that there has been **"no consultation on the extent of need that should be met within the District. Indeed, there is no evidence that to date there has been any consideration by the Council of the "reasonable alternative[s]" of providing less than the OAN, on environmental grounds. In our view, it is elementary, and consistent with the 2004 and 2012 Regulations and the NPPF, that such an issue must be properly assessed in the SA/SEA and thereafter the subject of proper consultation (at a time when responses are capable of influencing the contents of the emerging plan)."**

Although we note that the Council has now reinstated a second Regulation 18 consultation, it has continued along its course of confining the consultation to matters of where housing should go, rather than how much housing should actually be accommodated in Hart. In this regard there continues to be a lack of open discussion and consultation on the **"reasonable alternative[s] of providing less than the OAN, on environmental grounds"** i.e. a 'policy on' approach. We are therefore very concerned that the current consultation will prematurely narrow down the issues that should be considered fully in the Draft Plan (Regulation 18) consultation which is expected to take place in mid-2016.

In this regard, we understand that the 'We Heart Hart' campaign has suggested to the Council that an environmental study is carried out to consider the value of Hart's environment as a means to building an argument for not meeting the full OAN. The Council's response provided by hand on 7 October 2015 suggests that **"a number of studies already planned or completed will inform judgements about Hart's capacity**

**for development, including the site assessments that are currently underway. Once all the evidence is in the Council will need to make a decision on whether it should meet housing needs in full, or whether there is a case for reducing that figure”.**

It is a serious flaw that the scope of the present consultation does not allow for this emerging evidence to be considered through consultation before critical decisions are made about the approach to distributing housing growth over the plan period. Indeed the narrow scope of the previous Regulation 18 consultation was a further issue raised in the ‘Joint Opinion’ at Paragraph 24.2.

**“There has been no regulation 18 consultation at all on issues such as employment, retail, transport, infrastructure (or, indeed, anything other than housing distribution). It is inconceivable that a coherent and sound local plan could emerge without addressing most (at least) of these issues, to which the “duty to co-operate” is likely to apply as well. Indeed, there is a clear link between these topics and housing provision / distribution. We note also that the current evidence base on these matters is, in many instances, significantly out of date. Regulation 18 of the 2012 Regulations plainly requires consultation on the “subject” of a proposed local plan. Thus, the Council presently appears to be in a hopeless position if it maintains its current course. Either it will proceed with a plan that does not address fundamental matters (thereby exposing itself on the “soundness” issue), or it will incorporate matters which have indisputably not been the topic of any regulation 18 consultation.”**

With regard to the above, there is little evidence to suggest that the Council has, when preparing its options for delivering new homes, consulted with Hampshire County Council (HCC) in relation to its statutory duties including education provision; highways; local flooding; minerals and waste planning; adult and children’s care services; public health and well-being.

Turning to the housing numbers, we note that the SHMA is currently being revised and we had understood that an update was due to be published in early 2016. Therefore, it seemed both premature and illogical for the Council to be undertaking public consultation in respect of ‘Housing Options’ for the District between November 2015 and January 2016 without knowing what its precise OAN figure was going to be, and even more illogical to be running a “refreshed” consultation between February and March 2016 when that figure has still not been published. We note that this issue was debated at the Local Plan Steering Group meeting on 26 January 2016, and the minutes identify that **“the view was taken that the refreshed SHMA should only be taken into account once it had been firmed up and agreed by the respective councils and therefore it should be used to inform the draft plan later in summer 2016. If the scale of housing need was shown to be reduced, this would only affect how much greenfield land must be released rather than whether more brownfield land was available. It was not a reason in itself therefore to delay the current consultation.”<sup>8</sup>**

We strongly disagree with this view. The main purpose of the current consultation is to identify a preferred approach or combination of approaches to be taken forward in the draft plan. In the case of the Winchfield New Settlement Option, the consultation paper is clear in the table on Page 43 that this is not a viable approach on its own to meet Hart’s housing needs, and it would therefore need to be combined with another approach. The

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<sup>8</sup> Local Plan Steering Group (26 January 2016) Draft Minutes

whole issue of whether a new settlement option is needed therefore comes down to an accurate OAN figure identified through the SHMA, and the capacity of the other approaches being considered by the Council to meet this figure. It seems counter-productive for the Council to be moving forward and preparing a draft plan for Summer 2016, based on the results of a consultation applying an OAN from an out-of-date SHMA. Furthermore, we note that Rushmoor Borough Council has recently published a revised Local Development Scheme (January 2016) which identifies that the publication of the SHMA is now not expected until June 2016, which is around the time Hart District Council intend to publish its draft plan for consultation. In revising its LDS Rushmoor Borough Council explain that **“because the SHMA and ELR [Employment Land Review] are key evidence-base studies in preparing the Local Plan, it is imperative that Rushmoor, Hart and Surrey Heath jointly update these studies to ensure that the data and evidence underpinning the Local Plan is as up to date as possible. This is very important, as this evidence and its interpretation within the Local Plan will be subject to scrutiny by an inspector at the Local Plan Examination. Not updating the evidence base would increase the likelihood of the Local Plan being found ‘unsound’.**

**The net effect is that there will be a one-year delay in the adoption of the Local Plan, which is now planned for December 2017. This takes into account the time required to revise the joint evidence base documents, allow for local elections, and avoid the consultation period falling over the summer break.”**

We strongly urge Hart District Council to follow suit and avoid any further public consultation on the direction of future growth in the District until its OAN is up-to-date and robust.

With respect to the housing requirement figure, WAG and We Heart Hart recently commissioned the following report – ‘A Critique of Wessex Economics Strategic Housing Market Assessment for Hart, Rushmoor & Surrey Heath, December 2014’ and this was handed to the Council’s Joint CEO on 13 November 2015 (a copy is included as Appendix 2). This report was produced by Urban & Regional Policy and contained the following important conclusions with respect to the existing SHMA:

- There are serious deficiencies in the adjustments made to the SHMA in arriving at an OAN of 1,180 dwellings per annum (dpa) for the housing market area;
- The 2011-based Department of Communities and Local Government (DCLG) household projections have since been superseded by the 2012-based set of projections, which point to a significantly lower level of need;
- The economic growth forecasts used in the scenario testing are overly-optimistic;
- The level of affordable housing needed to be provided across the HMA is likely to be undeliverable;
- Housing provision on the scale of 1,180 dpa cannot be delivered by the market;
- The implications of the above are that Hart’s OAN should be adjusted from 370 to 268 dpa (i.e. a reduction from 7,770 to 5,628 dwellings for the plan period).

The conclusions reached by Urban & Regional Policy therefore raise serious doubt over the Council’s decision to proceed with considering its housing distribution options on the

basis of a flawed SHMA. To deliver a sound plan it is essential that the Council's OAN is robust, particularly when such important decisions about the location of future growth in Hart hinge on this figure. Based on Urban & Regional Policy's conclusions it would appear that the inevitable outcome of the approach being taken by the Council will be an over provision of housing land in the District at huge environmental, social and economic costs.

A further relevant consideration is that there is also a significant level of uncertainty over whether Hart District Council will need to accommodate any unmet housing requirement provision from other local authorities within the 'Housing Market Area' (HMA) as part of the duty to cooperate. Rushmoor Borough Council have recently published a "preferred option" Local Plan which identifies a shortfall of 1,600 homes, however this figure is being contested by Hart District Council who have objected to the plan. We support this objection and agree that Rushmoor should be trying considerably harder to identify additional housing capacity through seeking out new sites; increasing assumed development densities; and identifying where there is scope to convert surplus employment sites and retail floorspace to housing. Indeed analysis carried out by We Heart Hart suggests that Rushmoor could meet all of its need by increasing housing density from 27 to 38dph on its main development site (Wellesley) and we understand that this analysis has already been shared with the Council.

Meanwhile, Surrey Heath's plans for dealing with its housing need are still unknown. We note from paragraph 25 of the consultation paper that initial work suggests that Surrey Heath could be up to 1,800 homes short, although they are undertaking further assessment work and have stated that they will try to meet their own needs. We also note that one option open to Surrey Heath to meet its development needs is a review of its Green Belt boundaries, and we encourage Hart District Council via the Duty to Cooperate to ensure that this option is fully explored and tested. The Council should also ensure that Surrey Heath optimise the opportunities presented by the proposed changes to national planning policy which concern a more flexible Green Belt Policy to allow redevelopment of brownfield sites in the Green Belt for starter homes<sup>9</sup>.

In view of the above considerations it is clearly too early for the Hart Local Plan to draw conclusions about the level of unmet need that it is to accommodate for Rushmoor and Surrey Heath, a point acknowledged in paragraph 26 of the consultation paper. Furthermore, with the SHMA currently being revised, and in view of the conclusions reached by Urban & Regional Policy, it is also anticipated that the overall housing requirement of Rushmoor and Surrey Heath will also fall, and with it the requirement for Hart to meet the unmet need of its neighbouring authorities within the HMA. Given that the whole issue of Rushmoor and Surrey Heath's unmet need is fundamental to the consideration of a new settlement option, this again underlines the fact that it is premature and illogical of the Council to be asking consultees to identify their preferred approach at this stage for meeting its housing need.

Beyond the above considerations with respect to the housing provision target, there are a host of reasons why we are strongly opposed to Option 3 (Focus growth on a new settlement at Winchfield).

#### **Winchfield is not a suitable location for a new settlement**

The Council has given brief regard in the consultation document to the disadvantages associated with focusing growth on a new settlement at Winchfield. In terms of locational

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<sup>9</sup> DCLG (December 2015) "Consultation of proposed changes to national planning policy"

criteria, the paper acknowledges that there is the potential for increased car use to access services and employment in other areas; potential landscape and biodiversity impacts (albeit in non-designated countryside); very limited existing utility and infrastructure provision; and it would have significant effects on the character and appearance of the area.

Whilst agreeing with the Council on the above, we consider that the extent of constraints associated with a new settlement at Winchfield is actually far more extensive. Notably, the significant potential for coalescence with Hartley Wintney, Hook and potentially Fleet has been completely ignored, which demonstrates a notable lack of consistency in the Council's assessment process of potential locations for a new settlement. This is discussed further below.

The extent of constraints associated with a new settlement at Winchfield is demonstrated in part by the 'High Level Site Assessment' and 'Sustainability Appraisal' of the SHLAA housing sites carried out by Adams Hendry Consulting. Based on our review of this work we have identified the following constraints with respect to STR005 (Winchfield):-

- **"The road infrastructure in the Winchfield area reflects the area's rural character and has limited capacity for additional traffic. Therefore a key infrastructure issue for developing any significant level of housing at Winchfield is how the road infrastructure can be upgraded to meet the projected levels of demand and how traffic to/from the new development would access the M3 Motorway."**
- **"There are a number of significant nature conservation features and designations either adjacent or in close proximity to the site. ... These include the Basingstoke Canal Site of Special Scientific Interest (SSSI), which forms the southern boundary of much of the site and the Odiham Common with Bagwell Green and Shaw SSSI, which is adjacent or very close to the western boundary of the site."**
- **"Some parts of the site are subject to area based Tree Preservation Orders (TPOs), particularly to the north of the site, near to Winchfield House".**
- **"The Hampshire Minerals and Waste Plan Policies Map indicates that parts of the site contain areas subject to minerals safeguarding for sharp sand and gravel... The extent to which this might constrain development will need to be assessed, including through engagement with Hampshire County Council."**
- **"The two halves of the site differ in landscape terms with the western half being characterised by the mosaic pattern of generally medium-sized fields interspersed by numerous wooded copses and heavily wooded field boundaries... Most of this part of the site could reasonably be characterised as attractive rolling countryside... The potential for new development within this area to negatively impact on landscape character is considered to be significant."**
- **"The eastern half of the site is much more open, except for the southern portion near to the Basingstoke Canal... The countryside in this area is less attractive than the western part of the site, although its lack of current development and open nature means that significant development in this area has the potential to cause considerable harm to landscape character."**
- **"It is possible that the site contains some 'best and most versatile' (BMV) agricultural land, but this would need to be confirmed through a survey."**

- **“There are a variety of Listed Buildings within and adjacent to the site... The most significant heritage features impacting on the site are as follows:-**
  - **The Basingstoke Canal Conservation Area... there is considered to be a risk that development towards the south of the site will negatively impact on the setting of the Canal;**
  - **Dogmersfield Park (Historic Park and Garden)**
  - **Winchfield House (Grade II\*) and its extensive grounds**
  - **St Mary’s Winchfield if a Listed Norman Church (Grade I)... it is considered that development close to the southeast boundary could have a negative impact on the currently very rural and sparsely developed setting of the church.”**
- **“Significant parts of the site are subject to the risk of groundwater flooding at the surface”.**
- **“The nature of the site, split, with substantial areas of farmland, as well as Winchfield Station between the two halves is considered to significantly influence how a new settlement could be planned. It would be challenging to plan a compact nuclear settlement on this site and the shape of the site lends itself more to a linear or ‘linked polycentric’ approach.”**
- **“Development at the north of the site risks leading to settlement coalescence with Hartley Wintney”.**
- **“Overhead power lines traverse the site and may represent a constraint”.**
- **“The extent to which environmental noise from the motorway and railway impacts on the site should be ascertained”.**

Whilst demonstrating the extent of constraints associated with the new settlement option at Winchfield, we do not consider that the significance of a number of them has been adequately reflected in the Adams Hendry Assessment. For example, the Basingstoke Canal:-

- has not only the local designation of a Conservation Area (including a surrounding corridor) but also the prime **national** designation of SSSI. The supporting text to Hartley Wintney District Local Plan saved Policy CON2 recognises that **‘...Local Planning Authorities are required by law to protect these nationally designated sites from adverse effects of development’** (and those effects can be either direct or indirect). Paragraph 118 of the NPPF states that **‘...proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted’**;
- is important enough for the Council to have given it its own discrete planning policies i.e. saved Policies CON10 and RUR32 which seek to protect the Canal from development which would adversely affect the landscape, architectural or ecological character, setting or enjoyment of the canal or which would result in the loss of important views in the vicinity;
- would be negatively impacted by a new settlement with significant and demonstrable harm on its setting (landscape and visual), and greatly increased footfall with consequent wildlife disturbance.

It is also the case that the west of Winchfield Parish, just north of the Canal, abuts another SSSI (Odiham Common with Bagwell Green and Shaw) where the same constrictions as



above would be in evidence. Figure 13 of the Consultation Document demonstrates how the proposed STR005 (Winchfield) development would adjoin both SSSIs. As testing continues, the Council should be giving much greater prominence to these two SSSIs, the impact that a new settlement would have upon them and the constraints their existence presents to the development proposals.

Whilst further assessment work will be required to test these constraints (and, as mentioned above, this should have been undertaken and made available for comment as part of the current consultation) it is apparent that limited regard has been given by the Council to the significant number of constraints identified. We note that the other locations considered by the Council for a new settlement (STR004 (Murrell Green) and STR006 (Lodge Farm)) have both been discounted from further assessment by the Council following the Adams Hendry Assessment.

In the case of STR006 (Lodge Farm) the extent of the flood zone covering the site was identified as a major constraint undermining the suitability of the site, yet in the case of STR004 (Murrell Green) we note that no major constraints were identified. Indeed the constraints for STR004 (Murrell Green) have been summarised in the assessment as follows:-

**“Accessibility to services is one of the key issues, with relatively poor access to a number of facilities particularly primary education and healthcare facilities. In certain locations, particularly along the A30, the site is not well screened and it is likely that there will be visual impact from the development. Although not identified as a Strategic Local Gap the existing rural use of the site provides a buffer between the settlements of Hook and Hartley Wintney, which will be lost if the site is developed. The site is within the 5km Thames Basin Heath SPA zone. There are three Site of Importance for Nature Conservation (SINCs) within the site and one further SINC adjoining its western boundary. Minor constraints on the site are the uncertainty regarding the agricultural value of some of the land and the timescale for the sites availability.”**

In view of the limited number of constraints identified for the Murrell Green new settlement option it is clearly questionable as to why this had been discounted from further assessment. One of the main reasons for the Council doing so would appear to be the potential for coalescence between Hook and Hartley Wintney, yet this demonstrates a notable lack of consistency in the assessment process since the potential for coalescence with Hartley Wintney was also identified as a constraint for STR005 (Winchfield). Furthermore, the Council’s decision to discount STR004 (Murrell Green) from further assessment becomes even less clear when considering the fact that the majority of this strategic site has now been included in the Area of Search for the Winchfield new settlement option in the current consultation (with only SHL4 missing).

When balancing the disadvantages of Winchfield as a location for a new settlement against its advantages it appears that the Council has given significant weight to the presence of a railway station on the mainline to London Waterloo. It is suggested on page 41 of the Consultation Document that because of this **“a new settlement can be specifically designed and laid out to reduce dependency on travel by car by maximising the opportunity for alternative means of travel such as both walking and cycling.”**

We are not aware of any detailed transport analysis that has been undertaken at this stage that has assessed the implications of a new settlement at Winchfield on the rail

network. Indeed, we understand that South West Trains has identified that the main line services are already operating at capacity, and it has suggested to the Council, in the high level infrastructure assessments that have been done, that the railway station is relocated to Murrell Green and expanded<sup>10</sup>. This clearly undermines the Council's argument that the presence of the existing railway station at Winchfield is a significant advantage.

Further to this, we consider that Council should take note of the findings of a recent report from the Royal Town Planning Institute (RTPI)<sup>11</sup> which challenges the assumption that building in the Green Belt around railway stations would see the majority of new residents using the train to get to jobs in London. The RTPI examined commuting data for five medium-sized towns within the existing Metropolitan Green Belt, towns which are centred around railway stations and have direct connections to central London. It found that in these five towns, only 7.4% of commuters actually travel to inner London by train on a regular basis, despite living within easy walking or cycling distance of a station. The majority of commuters (72%) instead travel by private vehicle, mostly driving to jobs within their hometown and to other places not in London. The study therefore suggests that new town developments next to railway stations are not sustainable and actually add to traffic congestion because only a small proportion of the population use the station to get to work.

#### **A new settlement at Winchfield is not a viable approach for meeting Hart's need**

A major issue with the new settlement option which has been recognised in the consultation paper is that it will require significant and complex investment in infrastructure to support new development.

We note from the 'Infrastructure Planning Evidence' presented to the Local Plan Steering Group on 23rd June 2015 that initial dialogue between the Council and infrastructure providers has identified that the following could be required to support a new settlement at Winchfield:-

- New primary and secondary schools (anticipated costs are £80 to £100 million). It is suggested that these will be required irrespective of the final development strategy but we note that the Council has yet to produce any evidence to demonstrate a new secondary school is actually required, and the County Council has not undertaken any pupil place planning beyond 2019;
- Upgrades to the existing highway network and/or a new junction on the M3 (to be determined on completion of a Transport Assessment and costed thereafter);
- Significant engineering works to facilitate new and/or improved vehicular crossings of the railway line (which are yet to be costed);
- Redevelopment of Winchfield Station (at a potential cost in excess of £8 million) or, as suggested by South West Trains, a relocated and expanded station to the west (north of the M3) at Murrell Green (which has yet to be costed);
- Upgrades to the foul water network and treatment works (which has yet to be costed);
- Potential grounding of overhead powerlines (which has yet to be costed);

<sup>10</sup> Local Plan Steering Group (23<sup>rd</sup> June 2015) "Infrastructure Planning Evidence"

<sup>11</sup> RTPI (2013) "Building in the green belt? A report into commuting patterns in the Metropolitan green belt"

- Existing pedestrian infrastructure within Winchfield would need to be upgraded as well as further work on the provision of cycle routes and public transport provision from Winchfield (which has yet to be costed).

The list of infrastructure projects required to support the new settlement in this location is clearly extensive and the costs will be substantial. Developer contributions are highly unlikely to meet these costs and with Hart's published 'Infrastructure Delivery Schedule' (October 2014) identifying that a funding gap of approximately £78 million already exists for new infrastructure in the District, it is alarmingly unclear how it will be met.

This raises serious questions over the deliverability of the new settlement option within the plan period, which is a key test of soundness for the Local Plan. The 'Illustrative Potential Delivery Rates' on page 31 of the Consultation Document suggest that the Council expect the new settlement to be delivering housing by 2023/5, yet as it stands, there is a **serious lack of evidence** that the funding can be secured to provide the essential infrastructure necessary for any housing to be delivered by the Winchfield new settlement option within the plan period. Furthermore, in the absence of detailed testing, there is no evidence to demonstrate that vital infrastructure that could be fundamental to the delivery of the new settlement, such as the new junction onto the M3 and new vehicular crossings of the railway line, can actually be delivered. Indeed, we understand that it is Highway England's policy to resist new junctions on the strategic road network. If there is not a deliverable supply of developable new housing land over the plan period, with suitable infrastructure provision, the Local Plan will be contrary to the NPPF (paragraphs 47 and 173).

In the meantime housing pressures will be building up in settlements across the District exacerbating already critical 5 year land supply requirements. This will leave the District's population dependent upon the delivery of a new settlement, which may never materialise, or at best happen over a very long period of time. The Plan would therefore be ineffective and will therefore not meet the soundness criteria of the NPPF (paragraph 182).

These risks have been appropriately recognised by other local planning authorities in the preparation of their Local Plan, including Chelmsford City Council (CCC) which has recently considered and discounted a new settlement option in its 'Issues and Options Consultation' document (November 2015). In doing so, CCC identify that:-

**"6.39 In order for a new settlement to successfully function as a place, it would need to be large enough to be self supporting in terms of services and facilities. For example it would need to have its own completely new transport links, roads, shops, schools, healthcare etc. This means that to support such a level of infrastructure to achieve sustainability, a new settlement needs to realistically contain over 5,000 new homes and is likely in the longer term to contain 10,000 new homes...**

**6.40 For all new locations the deliverability of sites needs to be considered. This is particularly important for very large proposals as sites can only be built-out at a certain rate. Sites in excess of 3,000 new homes would be difficult to deliver in the Plan period. The Council is required to ensure that it maintains a five-year rolling supply of housing measured against the housing requirement. New large settlements have very long lead-in times and require substantial infrastructure which could significantly impact on this."**

CCC go on to consider two options for a new settlement, the first of which is discounted because of the delays associated with the prior extraction of minerals, and the second discounted because of the sensitivity of the landscape (a 'Landscape Conservation Area') and the potential need for a new junction onto the A12 which raises issues with deliverability.

The above extract also raises an interesting point about the size of settlement required to achieve a sustainable development, with a minimum of 5,000 homes needed to deliver and support essential community infrastructure. Hart District Council also appear to have recognised this as a target figure as they suggest in the Consultation Document that the new settlement option could ultimately be designed to accommodate up to 5000 new homes. Again, we are not aware of any testing that has been undertaken by the Council to support this assumption that a sustainable new settlement could be delivered at Winchfield. Furthermore, based on a high level review that we have undertaken of the SHLAA sites identified in Figure 13 of the Consultation Document we have doubts that sustainable settlement of 5,000 homes could be delivered in the Area of Search identified.

The table below summarises information obtained from the Council's SHLAA (November 2015). We have taken the site area and capacity figures identified in the SHLAA, and also set out the constraints identified for each of the SHLAA sites. We have also added to the latter where we consider that there are further constraints which the Council should be considering.

SHLAA number	Site name	Total size in ha	Developable size in ha (if specified)	Number of units identified in SHLAA	Constraints
83	Shapley Heath	1.02		10	SINC and adjacent to SINC. Medium potential for groundwater flooding. Listed buildings nearby. Potential for disturbance due to proximity to M3. Potential accessibility issues across M3.
84	Land at Winchfield Lodge & Ringwood RG27 8BT	3.8		60	Adjacent to SINC. Medium potential for groundwater flooding. Listed buildings nearby. Potential accessibility issues across M3.
124	Winchfield House	66.91		500-1500	Group TPO covering large part of site. Public footpath. Overhead power lines. Medium potential for groundwater flooding. Adjacent to a Conservation Area. SSSI and SINC. Listed buildings nearby. Potential for high grade agricultural land. Potential for disturbance from M3 and railway. Potential accessibility issues across M3 and railway. Coalescence with Hartley Wintney.

126 (Hook)	Murrell Green #2	16		450	Medium potential for surface and groundwater flooding. Listed buildings nearby. SINC's nearby. Potential for high grade agricultural land. Public footpath. Extends development north of A30. Coalescence with Murrell Green.
133	Swans Farm	54.5	13.2	396	Flood zone. SINC's onsite and nearby. Part of site is SSSI. Adjacent to Basingstoke Canal and Conservation Area. Ancient woodland. Blanket TPO adjoins site. Two public footpaths. Listed (grade 2) buildings on site and in vicinity. Historic Park and Garden nearby.
135	Shapley Ranch RG27 8HY	3.06	1.84	55	Conservation Area and listed buildings nearby. Ancient woodland and SINC's nearby. Blanket TPO adjoins site. Coalescence with Phoenix Green.
136 (Hook)	Trimmers Farm RG27 8HX	36.84	22.1	663	Conservation Area and listed buildings nearby. SSSI and SINC's nearby. Ancient Woodland and blanket TPOs in vicinity. Public Footpath. Coalescence with Murrell Green.
167 (Winchfield & Hook)	Beggars Corner	42.9		772	Flood zone. Public footpath. SINC. Ancient woodland. Blanket TPO. Potential for disturbance from M3 and railway. Potential accessibility issues across M3 and railway. Contaminated land.
168	Baileys Farm. RG29 1JW	8.7	2.6	46	Flood Zone. SSSI. Listed buildings onsite and in vicinity. SINC's and Ancient Woodland nearby. Public Footpath.
169 (Hook)	Totters Farm RG27 8HX	19.2		345	Listed building adjacent. SINC's and Ancient Woodland nearby. Public footpath. Coalescence with Murrell Green.
182	Part of Potbridge Farm RG29 1JW	20.5		600	Flood Zone. High potential for groundwater flooding. Listed buildings and Historic Park and Gardens nearby. SSSI adjacent.

					SINCs nearby. Public footpath. Adjacent to SSSI. Potential for high grade agricultural land.
183	Hurst Farm	139 of which 52ha potentially to be used as SANG	87	150	Flood Zone. High potential for groundwater flooding. Listed building onsite and others nearby. Conservation Area and Historic Park and Garden nearby. SSSI adjacent. SINCs onsite and adjacent. TPOs. Potential for high grade agricultural land. Overhead powerlines. Two Public Footpaths.
184	Winchfield Park	32.7		850	Medium potential for surface water flooding. Listed buildings nearby. Conservation Area adjacent. SINC onsite and adjacent. Potential for high grade agricultural land. Public footpath. Coalescence with Phoenix Green.
185	Winchfield Court Farm	23		450	Flood zone. High potential for groundwater flooding. Listed buildings nearby. SSSI adjacent. SINCs nearby. Potential for high grade agricultural land. TPO. Overhead powerlines. Public Footpath.
186	Shapley Lake & surrounds	14		350	Medium/high potential for groundwater flooding. Listed buildings nearby. SINCs nearby. Potential for high grade agricultural land. Public Footpath. Coalescence with Phoenix Green.
187	Bridge Farm #1. RG29 1JW	28		600	Medium potential for groundwater flooding. Listed buildings nearby. SSSI nearby. SINCs onsite and nearby. Potential for high grade agricultural land. Potential for disturbance from M3.
188	Bridge Farm #2	9		200	High potential for groundwater flooding. SSSI adjacent. SINCs nearby. Potential for high grade agricultural land. Overhead powerlines. Public footpath. Potential for disturbance from M3.

<b>Total</b>		<b>519.15</b>		<b>6,497 – 7,497</b>	
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In view of the extent of constraints identified for a number of the SHLAA sites, we question whether the number of units identified in the SHLAA is a fair and reasonable reflection of the actual capacity of the respective sites. We are not aware of any evidence to demonstrate how the Council has calculated the capacity of each of the SHLAA sites to accommodate housing, and whether this has taken account of site constraints but also the need to provide a significant level of infrastructure to support a new town (including schools, shops, health care facilities, car parking, sewage works, sports and leisure facilities etc).

Also, since the SHLAA sites are all located within the 5km 'zone of influence' of the Thames Basin Heaths Special Protection Area (TBHSPA), Policy NRM6 retained from the South East Plan requires measures to be taken to ensure the integrity of the SPA is protected, including the provision of 'Suitable Alternative Natural Greenspace' (SANGs). Policy NRM6 sets a general standard of SANG provision (8 ha of SANG per 1,000 population) but also indicates that for large developments bespoke solutions that provide a combination of benefits, including SANG, biodiversity enhancement, green infrastructure and, potentially, new recreational activities will be required.

The only apparent reference in the SHLAA to the provision of SANG for the new settlement is a suggestion that 52ha could be provided at site SHL183. This is clearly insufficient since, in providing for a new settlement of 5,000 homes, which would equate to approximately 12,000 people (working on the basis of an average of 2.4 persons per household), a **minimum** of 96 hectares of SANG would be required. Furthermore, for larger sites, such as that proposed, the policy requirement is that biodiversity enhancement, green infrastructure and recreational facilities should also be considered, in liaison with Natural England. In the context of the total gross hectareage of 519.15 identified in the table above, it is evident that SANG provision would consume a significant percentage (~20%) of that total. The other aspect is where the SANG(s) should be placed. We consider that they should be on sites that avoid car journeys to other SANGs and locations alongside SSSI(s), as would be the case with SHL183. Such locations should be avoided since dog walking and other activities taking place would cause disturbance to wildlife. We therefore consider that the quantity of SANG land required, and its placing, would act as a significant constraint as to how many homes could be accommodated - in addition to the other constraints already identified.

Furthermore, if the constraints on the SHLAA sites were to be considered in more detail than the Council appear to have done through their SHLAA assessment, then questions should have been raised about the suitability of a number of them for housing. Take SHL167 for example, which is identified as having capacity to accommodate 772 dwellings. The SHLAA identifies that a third of this 42.9ha site is within a flood zone, and the eastern part is a SINC and Ancient Woodland covered by blanket TPO. The SHLAA should also have mentioned the potential for disturbance from the M3 and the railway line immediately adjacent, which also create potential accessibility issues to the rest of the proposed new settlement. Moreover, a planning application (ref 15/01614/FUL) proposing the construction of a solar farm across the part of this SHLAA site outside of the floodplain and SINC was recently refused by Council on 16 November 2015. The reason for refusal was as follows:-

**“By virtue of its visual impact and wider landscape views the proposed development would have an unacceptable urbanising impact, harmful to the rural character of the area and to the wider setting of the designated heritage assets of the listed and locally listed buildings within the zone of theoretical visibility and the Odiham Conservation Area. The proposed development would seriously detract from the amenity and consequent recreational value of the nearby public right of ways, especially public rights of way 501 and 729, by reducing their rural character and detracting from significant views. Therefore, the proposal is contrary to the National Planning Policy Framework, National Planning Practice Guidance, Sections 66(1) and 72(1) of the of the Planning (Listed Building and Conservation Areas) Act 1990 and saved policies GEN1, GEN3, GEN10, RUR2, RUR3, CON12, CON13 and CON23 in the adopted Hart District Local Plan (Replacement) 1996-2006”**

In view of the Council's recent detailed consideration of the constrained nature of this site and its capacity to accommodate development, it is surprising that more consideration has not been given in the SHLAA to the constraints mentioned in the above reason for refusal. Furthermore, a Phase 1 Contaminated Land report submitted with the planning application for the solar farm identifies that the site is a former landfill, which based on the limited information available, could include inert, industrial, commercial and household wastes. This again presents a clear constraint to development, and potentially a significant health risk, which the Council should be considering before identifying suitable sites. The limited regard given by the Council to the constraints facing development of SHL167 suggests that the other SHLAA sites would have also have only been loosely examined, which again calls into question that a sustainable settlement of 5,000 could actually be accommodated in the 'Area of Search' identified.

Also, the constraints relating to flooding that are a recurring theme in the SHLAA assessments were amply illustrated by the extensive floods that occurred on January 3 2016 when all roads into and out of the 'new settlement' area were badly flooded. This is becoming an increasingly common occurrence, and therefore a significant issue for the Council to consider given the number of SHLAA sites identified as being at risk of groundwater flooding.

In view of the disparate nature of the SHLAA sites, as shown on Figure 13, it is also highly doubtful that it will be possible for the developable parts of each SHLAA site to combine to form a cohesive, compact and well connected nuclear settlement. Furthermore, we understand that the SHLAA sites are in at least 9 different ownerships. Again, we are not aware of any evidence to demonstrate that the Council has established that the various landowners are working together on bringing forward a new settlement. In view of the fragmented nature of land ownership and the number of parties involved, there would appear to be significant potential for legal complications that could affect the deliverability of the new settlement. Also, the existence of a significant area of unavailable land in the centre of the proposed 'Area of Search' will also create serious issues for achieving connectivity between the eastern and western parts of the new settlement. There are no public rights of way that could facilitate such movement, and therefore long and convoluted routes would need to be found around this area, which would not represent sustainable design.

**Q5. If we need to combine approaches, which combinations do you prefer?**



Please rank your choice in order of preference (1 = most preferred to 4 = least preferred).

You must complete this question in full by ranking all preferences otherwise it will invalidate your response.

		Rank
<b>Approach 4</b>	<b><u>Combine Approaches 1 and 2</u></b> <ul style="list-style-type: none"> <li>Disperse development throughout the towns and villages</li> <li><i>and</i></li> <li>Strategic Urban Extensions at main settlements</li> </ul>	1
<b>Approach 5</b>	<b><u>Combine Approaches 2 and 3</u></b> <ul style="list-style-type: none"> <li>Strategic Urban Extensions at main settlements</li> <li><i>and</i></li> <li>A new settlement at Winchfield</li> </ul>	4
<b>Approach 6</b>	<b><u>Combine Approaches 3 and 1</u></b> <ul style="list-style-type: none"> <li>A new settlement at Winchfield</li> <li><i>and</i></li> <li>Disperse development throughout the towns and villages</li> </ul>	3
<b>Approach 7</b>	<b><u>Combine all three approaches</u></b> <ul style="list-style-type: none"> <li>Disperse development throughout the towns and villages</li> <li><i>and</i></li> <li>Strategic Urban Extensions at main settlements</li> <li><i>and</i></li> <li>A new settlement at Winchfield</li> </ul>	2

**Please provide any further comments on this below**

When such fundamental questions remain over the extent of housing need for the plan period we again consider it premature and illogical to be asked to consider a preferred combination of approaches at this stage.

That so, we believe that if the Council is to consider combining approaches then its clear focus should be on developing a combined approach which delivers on the growing Government agenda for local planning authorities to prioritise brownfield sites.

The Consultation Document makes various references to the Council prioritising brownfield development. Before considering the efforts made by the Council, it is worth briefly reviewing government initiatives and national planning policy requirements with respect to brownfield land.

<b>Initiative/Policy</b>	<b>Brownfield Opportunity</b>
Brownfield site register	The Housing and Planning Bill sets out the Government's intention to require local planning authorities to publish and maintain up-to-date registers of brownfield sites suitable for housing. "Automatic" permission will be granted to housing schemes on sites allocated on new brownfield registers, subject to certain criteria to be set out in a Local Development Order (LDO).
Permitted Development Rights	Planning regulations have been amended to make it easier to change the use of an existing building from commercial, retail and agricultural use to residential use.
Starter Homes Exception Sites Policy	<p>The exception site policy enables applications for development for Starter Homes on under-used or unviable industrial and commercial land that has not been currently identified for housing. It also encourages local planning authorities not to seek section 106 affordable housing and tariff-style contributions that would otherwise apply. Local planning authorities should work in a positive and proactive way with landowners and developers to secure a supply of land suitable for Starter Homes exception sites to deliver housing for young first time buyers in their area.</p> <p>Furthermore, changes are proposed to the NPPF<sup>12</sup> to make clear that unviable or underused commercial and employment land should be released unless there is significant and compelling evidence to justify why such land should be retained for employment uses. Alongside the Government is also proposing to widen the scope of the current exception site policy to incorporate other forms of unviable or underused brownfield land, such as land previously in use for retail, leisure and non-residential uses (such as former health and education sites). Also, to provide greater certainty that planning permission will be granted for starter homes on exemption sites, the Government is proposing to make clear that applications can only be rejected if there are overriding design, infrastructure and local environment considerations that cannot be mitigated.</p>

<sup>12</sup> DCLG (December 2015) "Consultation on proposed changes to national planning policy"

Self Build Register	Local Authorities are required to maintain a register of self-builders so that they can measure interest and as a means of matching builders to brownfield sites that become available.
Starter Homes Fund	In an announcement on 4 January 2015, Prime Minister David Cameron said a £1.2 billion fund to build 30,000 affordable starter homes and 30,000 homes for market sale on underused brownfield land over the next five years would be created.

The Council identify in paragraph 54 of the Consultation Document that they can say with some certainty that at least 450 homes will be built on brownfield sites over the plan period with a further 116 potential new homes already counted as “deliverables”. It then suggests that in practice there will be much high delivery (perhaps up to 1,800 new homes) but it cannot be reasonably quantified with any certainty for the time being because additional sites are not being promoted by developers or landowners so that there is no way of demonstrating that the sites are both deliverable or developable.

The approach for encouraging brownfield development in advance of the adoption of the new Local Plan was considered by Cabinet on 3 September 2015. We note from the Cabinet report that the Council has considered the opportunities presented by the brownfield site register and associated use of LDO's, but has taken the view that the 'Conservation of Habitats and Species Regulations' 2010 mean that an LDO cannot grant planning permission for development within the Special Protection Area 5km 'zone of influence' (covering most of the urban area across the District).

However, since then we understand that the Council has been successful in securing a grant of £10,000 from the Government to pilot a 'brownfield site register', which is encouraging news as the Council will have the opportunity to shape and develop the legislation introducing this policy to suit local circumstance. We also note that under the pilot project timetable, the Council will need to publish its pilot brownfield register locally by the end of June 2016, and we consider this to be a further reason why consultation on a draft local plan should be delayed until this vital piece of evidence is available.

We are also encouraged that the Council is being proactive in identifying 'Zones of Brownfield Opportunity' on sites or areas where B1 offices are experiencing high levels of, or long term, vacancy rates. This includes land where planning permission has previously been granted for commercial development but where the market shows little appetite in bringing such development forward. Once identified, planning applications for residential development in these zones will be seen as being compliant with extant Local Plan Policy URB7, concerning the protection of employment sites.

We note that the Council is also acting in a positive manner through conducting a further 'Call for Brownfield Sites', and also reports to be actively engaging with local commercial agents to encourage them to inform their clients that residential conversion or redevelopment is a realistic option. Paragraph 5.2 of Appendix I to the 3 September 2015 Cabinet Report confirms that **“In this regard the Council can reasonably increase potential Local Plan delivery from brownfield sites to over 1,800 dwellings which at this stage can be readily quantified”**. The Parish Council wish to highlight that Winchfield is actively supporting the HDC request for Zones of Brownfield Opportunity and note that 3 brownfield sites in the Parish, totalling some 30 units, have been submitted.

The Council has also considered the opportunities presented by the Government's temporary measures introduced in May 2013 to allow the conversion of offices to

residential. The Cabinet report identifies that over 360 units now have approval yet few have been delivered on the ground, and attributes this to the uncertainty created by impending deadline of 30 May 2016 for the residential use to be completed. The report suggests that for the majority of approvals there is no time for them to be implemented and completed.

In this context, both the Cabinet report and the Consultation Document suggest that the future rates of conversion are uncertain and difficult to predict. The Cabinet report identifies how the conversion of commercial premises has been seen as an unnecessary risk, whilst one of the biggest impediments in Hart to the take up of office conversions is the suitability of buildings themselves, with many not designed to be converted or in the wrong place to meet the needs of the market.

When making these assumptions, we are concerned that the Council has largely ignored the findings of a report prepared for it by Stonegate Homes on the 'Viability of office to residential conversions to meet Hart DC Housing Supply' (2015) which was also appended to the 3 September 2015 Cabinet Report. This report, which was produced by a developer which the Council acknowledge has an in-depth knowledge of the potential for office to residential conversions, clearly demonstrates that there is significant development potential for brownfield sites within the District. The case studies presented by Stonegate demonstrate that two under-utilised business parks in the district (Ancell's Business Park and Bartley Way Business Park) have the potential to deliver up to 570 residential units, whilst there are numerous other vacant offices and brownfield sites in the area that are capable of contributing significantly to the district's housing needs. Stonegate also argue that the infrastructure is already in place to serve the offices and the sites are generally located within sustainable locations.

Through assessing the evidence contained in the Council's SHMA, Stonegate has also reached similar conclusions to our own (as described in our response to question 1) over the need to focus on meeting the requirements of first time buyers and Hart's ageing population. Stonegate's view is that office conversions are perfectly suited to address the housing shortage for these groups. In this regard, the Council should also be fulfilling its obligations to work in a positive and proactive way with landowners and developers to secure a supply of brownfield land suitable for Starter Homes exception sites.

Stonegate also point to how the Government has also introduced new permitted development rights for the conversion of warehouses to residential, adding further opportunities for new homes to be delivered through conversions. Furthermore, since the Stonegate report was produced, the Government has announced that the temporary permitted development rights for office to residential conversions will now be made permanent. The right is also to be expanded to also include B1(c) (light industrial use) and allow the demolition of buildings for new build residential units. In a further change, those who have already secured prior approval for residential use under the existing permitted development rights will now have three years within which to complete the change of use.

In view of the above considerations, the potential for brownfield sites to contribute to meeting Hart's housing need is clearly much greater than the 450 new homes that the Council expect to be delivered on brownfield land over the plan period. Stonegate, a specialist developer on residential conversions, has identified that there is significant development potential within the District, whilst commercial agents have reportedly already quantified a supply of brownfield sites with the potential to deliver at least 1,800 homes over the plan period. We note that the Council is encouraging these sites to be put forward for inclusion in the Local Plan through its 'Call for Brownfield Sites', and is also

pursuing an initiative to identify 'Zones of Brownfield Opportunity' to give developers more comfort that the principle of residential redevelopment is supported.

In this regard, we question why consideration has not been given in Appendix 1 of the Consultation Document to the indicative capacity of the 'Zones of Brownfield Opportunity' that have already been identified by the Council. The 'Zones of Brownfield Opportunity – Call for Sites' consultation material includes a map of 11 identified sites. Only 3 of these sites feature in Appendix 1 and therefore factor in to the Council's emerging strategy for meeting its housing target over the plan period. Those not included in Appendix 1, but accepted as 'Opportunity Areas', include parts of Ancell's Business Park which, as identified in the Stonegate report mentioned above, have the potential to deliver a significant number of new homes. A further 'Opportunity Area' identified is Hartland Park, Pyestock, where we understand planning permission exists for an industrial/commercial use but according to HDC the market has shown little appetite in bringing this forward<sup>13</sup>. This 49 hectare, former Ministry of Defence site, would again have the potential to deliver a significant number of homes on brownfield land. On the assumption that it may be possible to develop between 50 - 75% of this site at an average of 30 dwellings per hectare, it has the potential to deliver between 750 and 1,100 new homes in a sustainable location on the edge of Fleet. Whilst we appreciate the former uses of the site may have an impact on the viability of bringing forward residential development, we note from a project update provided on the commercial developer's dedicated website<sup>14</sup>, that the site has already been cleared, thus significantly increasing the deliverability of housing on the site. A further 'Opportunity Area' worth mentioning is the Vertu Site which we understand has recently been put forward for consideration in the Council's SHLAA for circa 65-70 units.

The Council has also failed to recognise in the Consultation Document the opportunities presented by the recently announced changes to permitted development rights, which have ended potential uncertainty for developers caused by the deadline of 30 May 2016 for the residential conversions to be completed. Furthermore, the forthcoming changes will also allow for the demolition and redevelopment of sites which will address concerns raised by the Council over the suitability of the existing stock of buildings for conversion.

Whilst we understand that the Council may need to do further work to assess the implications of these changes and also deliver on its responsibilities to positively plan for greater brownfield development, it is apparent that the scope for residential dwellings to be delivered on brownfield land is significantly higher than 450 new homes. This again highlights how it is premature for the Council to be asking consultees to identify their preferred approach or approaches for developing greenfield land, whilst there remains uncertainty over the extent of housing required but also the capacity of brownfield development to meet that need. The emerging evidence discussed above points to the housing requirement decreasing whilst the identified capacity for brownfield sites to meet that need will only increase if the Council fulfils its commitments to plan positively. The gap remaining, if any, clearly needs to be met by a sustainable greenfield approach that can see housing delivered across the plan period, in a manner that meets the needs of all of Hart's existing communities through fairly distributing growth and maintaining the vitality and viability of services and facilities in existing settlements.

<sup>13</sup> Cabinet Report (3 September 2015) 'Approach for Encouraging Brownfield Development in Advance of Adoption of a New Hart District Local Plan' para 5.5

<sup>14</sup> <http://www.hartlandpark.co.uk/pdfs/hartland-park-newletter-edition6.pdf>

**Q6. The New Homes Sites Booklet shows, by Parish, sites that are available for the development of new homes.**

**Do you have any comments on any of these sites?**

For parishes where there is a choice of two or more shortlisted sites (in red and listed on the tables on each map), please rank the sites in order of preference (1 = most preferred, then 2, 3, 4 etc. to least preferred). Please add any comments to support your ranking.

You may also comment on any 'rejected sites' (in blue and listed on the tables on each map).

You may complete the ranking for as many parishes as you like. Particular regard will be paid to how close you live to the sites being ranked. Please read the New Homes Site Booklet for more detail.

Please note that Question 6 and the New Homes Sites booklet relate only to 'non-strategic' sites. Very large 'strategic' site options covered under Approaches 2 and 3 (Strategic Urban Extensions and New Settlement) are not included in this ranking exercise. If you wish to make comments on those sites please do so under Questions 4 and 5 of the response form.

We have no specific comments to make on the shortlisted sites, however as set out in our response to Question 3, the NPPF is clear that a proportionate level of development can bring new life to established societies within villages and can help sustain existing services and potentially generate custom for new facilities. The Council should be doing all that it can to ensure that the vitality of all of Hart's settlements is enhanced or maintained over the plan period. Winchfield Parish Council is in the process of preparing a Neighbourhood Development Plan which will set out how the existing community considers that the need for 76 new dwellings in the Parish should be met in a sustainable way over the plan period. This demonstrates how Winchfield is positively and proactively planning to take its fair share of development and assist the Council in meeting its objectively assessed housing need.

***Blackwater & Hawley***

You need not answer this question or make comments but if you seek to answer it you must complete the question in full by ranking all preferences otherwise it will invalidate your response.

Site		Please rank (1=most preferred, 2=least preferred)
100	Sun Park, Guillemont Park North (216)	

153	Brook House (60)	
<u>Comments</u>		

### ***Bramshill – no shortlisted sites***

<u>Comments</u>
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### ***Church Crookham***

Site		
90	Stillers Farm (shared with Ewshot parish) (106)	
<u>Comments</u>		

*Note: to comment on the strategic urban extension options at Pale Lane and West of Fleet please see questions 4 and 5.*

### ***Crondall***

You need not answer this question or make comments but if you seek to answer it you must complete the question in full by ranking all preferences otherwise it will invalidate your response.

Site		Please rank (1=most preferred, 2=least preferred)
73	Land west of Crondall (184)	
74	Land north west of Crondall (66)	
<u>Comments</u>		

## ***Crookham Village***

Site		
116	Cross Farm (150)	
<u>Comments</u>		

*Note: to comment on the strategic urban extension options at Pale Lane and West of Fleet please see questions 4 and 5.*

***Dogmersfield***

Site		
COM001	Land at Dogmersfield (141)	



Comments***Elvetham Heath***

Site	
104	Land at Elvetham Heath (40)
<u>Comments</u>	

*Note: to comment on the strategic urban extension options at Pale Lane and West of Fleet please see questions 4 and 5.*

***Eversley***

You need not answer this question or make comments but if you seek to answer it you must complete the question in full by ranking all preferences otherwise it will invalidate your response.

Site		Please rank (1=most preferred, 9=least preferred)
23	Land west of Marsh Lane (134)	
26	Land north of Reading Road (41)	
103	Land adjoining Crosby Gardens (11)	
112a	CEMEX site A (105)	
112b	CEMEX site B (19)	
122	Land west of the Fielders (41)	

246	Area B land at Eversley Cross (20)	
247	Land north of Hollybush Lane (38)	
273	Land between Eversley Road and Firgrove Road (88)	
<u>Comments</u>		

## ***Ewshot***

You need not answer this question or make comments but if you seek to answer it you must complete the question in full by ranking all preferences otherwise it will invalidate your response.

Site		Please rank (1=most preferred, 3=least preferred)
90	Stillers Farm (shared with Church Crookham parish) (106)	
COM005	Land south of Church Crookham (158)	
COM006	Land east of Redfields Lane (89)	
<u>Comments</u>		

## ***Fleet***

You need not answer this question or make comments but if you seek to answer it you must complete the question in full by ranking all preferences otherwise it will invalidate your response.

Site		Please rank (1=most preferred, 4=least preferred)
320	Town Centre, zone 2 (26)	

322	Town Centre, zone 4 (17)	
338	Land at Great Bramshot Farm (10)	
357	Land at Sankey Lane (20)	
<u>Comments</u>		

*Note: to comment on the strategic urban extension options at Pale Lane and West of Fleet please see questions 4 and 5.*

### ***Greywell – no shortlisted or rejected sites***

<u>Comments</u>
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### ***Hartley Wintney***

You need not answer this question or make comments but if you seek to answer it you must complete the question in full by ranking all preferences otherwise it will invalidate your response.

Site		Please rank (1=most preferred, 3=least preferred)
19a	Land at Grange Farm A (150)	
19b	Land at Grange Farm B (40)	
COM002	Land adjacent to Causeway Green and Farm (100)	
<u>Comments</u>		

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**Heckfield**

Site		
92	Land south of Riseley (69)	
<u>Comments</u>		

**Hook**

You need not answer this question or make comments but if you seek to answer it you must complete the question in full by ranking all preferences otherwise it will invalidate your response.

Site			Please rank (1=most preferred, 3=least preferred)
9		Land at Owen's Farm (43)	
130		West of Varndell Road (44)	
COM003		Hook Garden Centre, Reading Road (117)	
<u>Comments</u>			

*Note: to comment on the strategic urban extension option at West Hook please see questions 4 and 5.*

**Long Sutton**

You need not answer this question or make comments but if you seek to answer it you must complete the question in full by ranking all preferences otherwise it will invalidate your response.

Site		Please rank (1=most preferred, 4=least preferred)
30	Land at Hyde Road (17)	
31	Land east of Copse Lane (42)	
62	Granary Fields(10)	
291	Land south of Chaffers Close (46)	
<u>Comments</u>		

**Mattingley – no shortlisted sites**

<u>Comments</u>
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**Odiham**

You need not answer this question or make comments but if you seek to answer it you must complete the question in full by ranking all preferences otherwise it will invalidate your response.

Site		Please rank (1=most preferred, 3=least preferred)
79	Land south of Hamilton House (80)	
327	Land to the south of Crownfields (west) (10)	

COM004	Land to the north of Deptford Lane (174)	
<u>Comments</u>		

### ***Rotherwick***

You need not answer this question or make comments but if you seek to answer it you must complete the question in full by ranking all preferences otherwise it will invalidate your response.

Site		Please rank (1=most preferred, 3=least preferred)
87	Land north west of Rotherwick Village (38)	
115	Land at Green Lane (24)	
290	Land at Rosemary Cottage (8)	
<u>Comments</u>		

## ***South Warnborough***

You need not answer this question or make comments but if you seek to answer it you must complete the question in full by ranking all preferences otherwise it will invalidate your response.

Site		Please rank (1=most preferred, 3=least preferred)
33	Plough Meadow (23)	
71	Land adjacent to Nash Meadows / Ridley's Piece (40)	
172	Granary Court (16)	
<u>Comments</u>		

## ***Winchfield – no shortlisted non-strategic sites***

<u>Comments</u>
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*Note: To comment on the Winchfield New Settlement option please see questions 4 and 5*

## ***Yateley***

You need not answer this question or make comments but if you seek to answer it you must complete the question in full by ranking all preferences otherwise it will invalidate your response.

Site		Please rank (1=most preferred, 2=least preferred)
11	Land at Moulsham Lane (180)	
20	Land at Reading Road (24)	

<u>Comments</u>		

## Q7 Do you have any other comments on the refined housing options paper?

Please find below a summary of our main observations that we have set out in response to the other questions in the consultation paper:-

### *Lack of evidence to justify need for a new settlement*

- It is premature for the Council to be asking consultees to identify their preferred approach for meeting its housing need, when serious questions remain over the housing provision target for the plan period.
- There has yet to be any public consultation on the scale of Hart's 'Objectively Assessed Housing Need' (OAN), or other issues related to housing distribution, such as employment, retail, transport, and infrastructure. It is a serious flaw that the scope of the present consultation does not allow for evidence on these matters to be considered through consultation before critical decisions are made about the approach to distributing housing growth over the plan period.
- The SHMA is currently being revised and it therefore seems premature and illogical for the Council to now be seeking to undertake public consultation in respect to housing options when it does not yet know what its precise OAN figure is going to be.
- The conclusions reached by Urban & Regional Policy with respect to the findings of the existing SHMA raise serious doubt over the Council's decision to proceed with considering its housing distribution options on the basis of a flawed SHMA. To deliver a sound plan it is essential that the Council's OAN is robust, particularly when such important decisions about the location of future growth in Hart hinge on this figure.
- There is also a significant level of uncertainty over the level of unmet housing need from Rushmoor and Surrey Heath needing to be considered as part of the Duty to Cooperate. Given that the whole issue of Rushmoor and Surrey Heath's unmet need is fundamental to the consideration of a new settlement option, this again underlines the fact that it is premature and illogical of the Council to be asking consultees to identify their preferred approach at this stage for meeting housing need.

### *Winchfield is not a suitable location for a new settlement*

- A significant number of constraints have already been identified by the Council's consultants in the limited testing that has been undertaken to date. Whilst further assessment work will be required (and, as mentioned above, this should have



been undertaken and made available for comment as part of the current consultation) it is apparent that limited regard has been given by the Council to the significant number of constraints identified.

- The Council appear to have given significant and disproportionate weight to the presence of a railway station at Winchfield, yet there is no evidence to demonstrate that there is spare capacity at this station, and South West Trains has suggested that the railway station may need to be relocated away from Winchfield and expanded.
- In view of the extent of constraints identified for the SHLAA sites, proposed to form the new settlement, we question whether the number of units identified in the SHLAA is a fair and reasonable reflection of the actual capacity of the respective sites. We are not aware of any evidence to demonstrate how the Council has calculated the capacity of each of the SHLAA sites to accommodate housing, and whether this has taken account of site constraints but also the need to provide a significant level of infrastructure to support a new town (including SANGs, schools, shops, health care facilities, car parking, sewage works, sports and leisure facilities etc).
- Also, in view of the disparate nature of the SHLAA sites in multiple ownerships that need to be brought together to form the new settlement, it is also highly doubtful that it will be possible for the developable parts of each SHLAA site to combine to form a cohesive, compact and well connected nuclear settlement, introducing major concerns over deliverability.

*A new settlement option is not a viable approach*

- The list of infrastructure projects required to support the new settlement option is clearly extensive and the costs will be substantial.
- There is a serious lack of evidence that the funding can be secured to provide the essential infrastructure necessary for any housing to be delivered by the new settlement option within the plan period.
- In the absence of detailed testing, there is no evidence to demonstrate that vital infrastructure that could be fundamental to the delivery of the new settlement, such as the new junction onto the M3 and new vehicular crossings of the railway line, can actually be delivered.
- If there is not a deliverable supply of developable new housing land over the plan period, with suitable infrastructure provision, the Local Plan will be contrary to the NPPF (paragraphs 47 and 173).
- In the meantime, housing pressures will be building up in settlements across the District exacerbating already critical 5 year land supply requirements. This will leave the District's population dependent upon the delivery of a new settlement, which may never materialise, or at best happen over a very long period of time. The Plan would therefore be ineffective and will therefore not meet the soundness criteria of the NPPF (paragraph 182).

*Alternatives - Brownfield Opportunities*

- To demonstrate compliance with national policy, the Council should be prioritising brownfield development through working in a positive and proactive way with landowners and developers to identify opportunities to develop under-used and unviable brownfield land through initiatives including the 'Brownfield Site Register',

‘Starter Homes Exception Sites Policy’, ‘Self-Build Register’, and ‘Starter Homes fund’.

- The Council has largely ignored the findings of a report prepared for it by Stonegate Homes on the ‘Viability of office to residential conversions to meet Hart DC Housing Supply’ (2015) which demonstrates that there is significant development potential for brownfield sites within the District.
- Further opportunities are also presented by the recently announced changes to permitted development rights, which have ended potential uncertainty for developers caused by the deadline of 30 May 2016 for the residential conversions of office buildings to be completed.
- Further investigation of brownfield opportunities is clearly required; it is apparent from the ‘Zones of Brownfield Opportunity’ that have already been identified by the Council that significantly more capacity for residential development on brownfield sites exists than that currently set out in Appendix 1 of the Consultation Document. Again, it is premature for the Council to be asking consultees to identify their preferred approach or approaches for developing greenfield land, whilst there remains uncertainty over the capacity of brownfield development to meet that need.

*Alternatives – Disperse Development and Strategic Urban Extensions*

- The Council’s ‘Economic Development Strategy’ (2015) identifies that the Council must direct its resources to urban regeneration, and that its strong natural environment is a key reason why businesses locate in Hart. The new settlement option would pull investment away from Hart’s existing settlements and have a significant impact on Hart’s natural environment.
- Focusing growth in and adjacent to Hart’s main settlements would, on the other hand, boost investment in infrastructure and regeneration in the locations where it is needed most.
- National planning policy and guidance is also clear that the provision of a limited number of new dwellings within rural villages will enhance the sustainability of such settlements by providing additional demand for local services and facilities.
- Hart has a sizable ageing population, and given the importance of accessibility to existing services and facilities to older people, particularly those who are less mobile, coupled with a strong desire to remain in their existing communities where they have social ties, it would clearly be inappropriate to meet the needs of the elderly through a new settlement option.

## Consultation questions regarding the Draft Vision and Strategic Priorities for Hart

The following questions relate to a document called '**Draft Vision and Strategic Priorities for Hart**' which is available alongside the 'Refined Options for Delivering New Homes' and the 'New Homes Sites Booklet'

**Q1. We have identified a set of Key Issues for the Local Plan in Table 1 on page 5. Do you agree with them?** *(Please tick)*

Yes	
No	✓

### Do you have any comments on the key issues?

The list of issues for the Local Plan to address has failed to recognise the parlous state of infrastructure in Hart's existing main settlements, including Fleet, Blackwater & Hawley, Hook and Yateley. Hart's 'Economic Development Strategy' (EDS) (August 2015) opens by acknowledging that the District has not invested heavily in regeneration or economic development to date. The EDS goes on to identify, on page 21, a number of weaknesses for the District, which include:-

- **"Some of Hart's office stock is not fit for purpose, with a lack of smaller flexible units in particular".**
- **"The cultural offering is not reaching its full potential and there is a desire to ensure that town and village centres retain their vitality and distinctiveness."**
- **"The retail market in Fleet and smaller centres struggles to compete with neighbouring districts for high-end comparison goods and shopping experience".**
- **"Hart's heavy reliance on car based commuting and lack of public transport use is not a sustainable option for a District that prides itself on its high quality of life."**

It is also worth noting that, in the discussion of the District's strengths on the same page, the EDS identifies that the **"strong natural environment and ecologically important sites"** are reasons why businesses locate in Hart.

'Strategic Objective Three' of the EDS therefore identifies:-

***"Hart's sense of place is important. While preserving the District's distinctive identity, its thriving businesses need space to grow and connections need to improve. Hart's natural assets make it an attractive place to be but the Council wants its centres to thrive and become destinations of choice for visitors."***

The EDS was discussed at the Council's Cabinet Meeting on 3 September 2015, and an action identified in paragraph 6.2 of the committee report was that the Council's **"focus should be on strategic matters that include urban regeneration. The future of the Hart Centre and the refurbishment/environmental enhancement of the Hook and Blackwater shopping parades are good examples of strategic regeneration opportunities where the Council must direct its resources."**

In this context, it is vital that the emerging Local Plan recognises and seeks to address the key issue of urban regeneration, and associated infrastructure provision, in Hart's existing centres. Furthermore, this is fundamental to the consideration of the preferred approach to delivering new homes, since the new settlement option would only serve to pull investment away from Hart's existing settlements and thus accelerate their decline. It would also have a significant impact on the natural environment, which the Council's EDS recognises has been a key draw for businesses locating in the District.

The alternative approaches of dispersing development and/or strategic urban extensions to Hart's main settlements would, on the other hand, boost investment in infrastructure and regeneration in the locations where it is needed most. Where properly planned, it has been recognised in Government sponsored research<sup>15</sup>, that urban extensions can provide a number of opportunities, including:-

- Providing specific improvements to the setting of an existing urban area;
- Providing for improved public transport within the existing urban area, or between two existing towns, by increasing viability of services;
- Utilise spare capacity that may exist in terms of services and increase the demand for services and shops, thus increasing their long term viability;
- Augment existing facilities and services in adjacent neighbourhood where there are deficiencies in provision; and
- Meeting affordable housing needs where it is needed.

Growth strategies in other areas, such as the Milton Keynes-South Midlands Sub Region, have therefore been based on sustainable extensions to existing settlements, including Bedford, Luton and Dunstable, in order to support urban regeneration and sustainable patterns of travel.

In view of the above considerations, we consider that the significant weight should be given to focusing growth in and adjacent to Hart's existing settlements (Options 1 and 2) if the Council is to deliver on its economic objectives.

A further key issue which the Local Plan should identify and address is the need to optimise the opportunities presented by brownfield land within the District to meeting Hart's housing need. In our response to Question 5, we have discussed the numerous government initiatives and national planning policy requirements with respect to prioritising brownfield development. To ensure that the Local Plan is consistent with national policy, this should be reflected as a key issue for the Plan to address.

**Q2. We have drafted a vision setting out how the district might look by 2032 on page 6. To what extent do you agree with it? (Please tick)**

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<sup>15</sup> DETR (1998) "Planning for Sustainable Development: Towards Better Practice"

<b>Agree</b>	
<b>Slightly Agree</b>	✓
<b>Slightly Disagree</b>	
<b>Disagree</b>	

### Do you have any comments on the Vision?

The Council's proposed Vision for the new Hart Local Plan is set out below.

#### Draft Hart Vision 2032

*"In 2032 Hart will have remained an attractive, largely rural, area with thriving towns and villages (5, 8) and a variety of landscapes (7). Hart's residents will be enjoying an excellent quality of life in a high quality environment. (5, 6, 10)*

*Hart will have played its role in meeting the development needs of its housing market and functional economic area. This includes meeting the need for affordable housing, accommodation for the elderly, and other forms of specialist housing (1, 2, 3).*

*In meeting development needs, effective use will have been made of appropriate previously- developed land so that greenfield development will have been limited to that identified as needed in the Local Plan. New developments will have been built to a high level of environmental and design standards, respecting local character and distinctiveness and providing measures to adapt to and mitigate the impacts of climate change. The coalescence of settlements will have been avoided (4, 7, 10, 11).*

*The district's social, physical and green infrastructure will have been enhanced to support the changing population. New schools will have been built so that local demand at both primary and secondary level is catered for. The quality and value of community and leisure facilities will also be maintained and enhanced. In particular a new leisure centre at Fleet in a country park setting, coupled with an improved leisure centre at Frogmore will provide an outstanding leisure offer. (5, 8, 9)*

*The best of Hart's natural, built and heritage assets will have been protected, and where possible enhanced. These assets include the Thames Basin Heaths and other protected habitats, the chalk downland in the south west of Hart, riverine environments, Historic Parks and Gardens, Conservation Areas, Listed Buildings and Scheduled Ancient Monuments. These features help define the distinctive character of Hart. (6, 7)".*

We agree with the majority of the draft Vision but were alarmed that it does not address key issue 6 identified in table 1 – **"The need to deliver development where possible, which respects the separate character and identity of Hart's settlements and landscape"**.

The Vision that was prepared for the withdrawn Core Strategy (2012) made a much more positive pitch towards retaining the role of the District as a green, rural hinterland for North East Hampshire and the Blackwater Valley. To address this point we consider that the vision should be amended to state that **"...the coalescence of settlements will have**

**been avoided, and the separate character and identity of Hart's settlements and green, rural landscapes retained and respected."**

Whilst there is this aspect of the Vision that we consider should be worded more positively to address the Key Issues within the Plan, we strongly question whether the new settlement proposal at Winchfield would be at all compatible with the Council's proposed Vision. It would not protect and enhance Hart's best natural assets, but would, instead, be very harmful to them.

The 'High Level Site Assessment' discussed in our response to Question 4 describes how there are a number of significant nature conservation features and designations either adjacent or in close proximity to the site, including Sites of Special Scientific Interest (SSSIs). Within the site area itself, there are a number of SINCD designated areas, mostly comprising areas of woodland, some of which are Ancient Woodland. Other notable habitats identified include Dogmersfield Lake and Tundry Pond adjacent to Odiham Common and sections of the River Hart. It also acknowledges the nearby presence of the Thames Basin Heath Special Protection Area (SPA). Clearly, therefore, there are a number of important environmental designations in the Winchfield area which mean that the option of developing a new settlement would be incompatible with the draft vision given the level of environmental harm that would occur.

We also question whether a new settlement option would be compatible with the Vision's aim of ensuring that the district's social, physical and green infrastructure will have been enhanced to support the changing population. Should a new settlement go ahead, it will obviously be the focus point of a very high amount of housing provision, both in the Plan period itself, and beyond. As a result of this, there would be a significant danger that the lower amounts of housing provision across the rest of the District would be inadequate to fund and support the much needed facilities and services needed within towns and villages.

**Q3. We have identified some draft Strategic Priorities for the Local Plan in Table 2 on page 7 & 8. Do you agree with them? (Please tick)**

Yes	
No	✓

**Do you have any comments on the strategic priorities?**

Below are the Council's proposed Strategic Priorities for the new Local Plan (shown in *italics*) and our specific comments in relation to them. Our proposed amendments to these Strategic priorities are shown in **bold**:

*Draft Strategic Priorities*

- 1) To deliver all the objectively assessed housing need for Hart in planned locations across the District between 2011 and 2032.*

2) *To continue to work with Rushmoor and Surrey Heath on meeting the objectively assessed housing need for the Housing Market Area as a whole, for example through the provision of SANG that can facilitate housing in those areas. In order to comply with statutory requirements, when it is clear what (if any) the level of unmet need is across the housing market area, we will seek to help to meet this in a way that fits into our strategy.*

- We have already referred in our response to question 4 to the fact that at the moment, Hart is currently awaiting the completion of a new SHMA which will identify an up to date Objectively Assessed Need figure (OAN) for housing. It does, therefore, seem somewhat strange that the Council is committing itself to delivering a housing figure when it does not know what it is, nor does it yet know how much unmet need it might be required to deliver on behalf of Rushmoor and / or Surrey Heath.
- We suggest that Strategic Priorities 1 and 2 are combined and subjected to the following revised wording:

***To work with Rushmoor and Surrey Heath to ensure that both the objectively assessed housing need for Hart and the wider Housing Market Area are delivered over the plan period, without causing harm to key environmental assets such as the Thames Basin Heath SPA and avoiding coalescence of settlements and loss of character and identity.***

- We also propose that a new Strategic Priority is added here to reflect the importance that the Council will give to maximising the use of brownfield sites:

***To support development opportunities on previously developed land in order to maximise the delivery of new homes on brownfield sites. The Council will maintain and update “Zones of Brownfield Opportunity” to assist with this, and will also actively proactively promote other opportunities to develop brownfield sites including permitted development rights, the Starter Homes Exception Sites Policy and the Self Build Register.***

3) *To provide new homes of a mix of sizes and tenures to meet the current and future needs of Hart’s residents, including a viable mix of affordable housing, and new homes to meet the needs of an ageing population.*

- We consider that a new settlement would fail to achieve this particular Priority. The reason being that it would inevitably constrain housing supply in many other settlements within the borough as it would be the primary focus point for new residential development. As a consequence, less additional housing provision in existing settlements will result in a failure to provide affordable housing and new homes to meet the needs of the ageing population in the locations where it is most needed.
- We are also concerned that a new settlement option would fail to deliver the types and sizes of homes most needed in the District. To meet housing needs, the SHMA calls for 60 to 70% of the new build in the housing market area to be 1 and 2 bed properties. There is a risk that a new settlement will over deliver on larger properties as developers seek to attract those wanting to move to Hart at the expense of those already living in the District.

- We suggest that Strategic Priority 3 is amended as follows:

***To provide new homes of a mix of sizes and tenures to meet the current and future needs of Hart's residents, including a viable mix of affordable housing spread across the District, and new homes to meet the needs of an ageing population in the most sustainable existing settlements in the District. To ensure that these needs are met, the Council will actively monitor the delivery of new homes by size and tenure.***

4) *To support economic growth and the vitality and viability of Hart's settlements by:*

- *Providing for local shopping need in town, district and local centres to serve the needs of existing and future residents; and*
- *Protecting and providing a range of size and types of employment land and buildings, including those supporting the rural economy, to meet future needs and to contribute to economic growth in Hart and the wider area.*

- We consider that a new settlement would fail to achieve this particular Priority. The reason being that it would inevitably constrain housing supply in many other settlements within the District as it would be the primary focus point for new residential development. Therefore, it would not create the additional demand required to support economic growth and maintain the vitality and viability of shopping and employment opportunities in Hart's existing settlements. As identified in the discussion above of the key issues for the Local Plan, the regeneration of Hart's existing settlements is the focus of Hart's 'Economic Development Strategy'.

5) *To ensure that transport, social and physical infrastructure required to support new development is delivered in a timely and coordinated manner. Through partnership working with the education authority (Hampshire County Council) to plan for the provision of sufficient primary and secondary school places, including new schools where required.*

- We consider that a new settlement would fail to achieve this particular Priority. The reason being that it would inevitably constrain housing supply in many other settlements within the District as it would be the primary focus point for new residential development. Consequently, it would not help the Council to bridge its infrastructure deficit as a strategy focused on a new settlement would result in a failure to obtain sufficient funding from development to pay for and deliver necessary infrastructure (e.g. schools, highway improvements, community halls etc.) across the rest of the District.

6) *To conserve and enhance the distinctive built and historic environment in Hart including the protection of heritage assets and their settings, and the protection of the character and identity of settlements, including through protection from coalescence.*

- We consider that a new settlement at Winchfield would fail to achieve this particular Priority. Winchfield is a unique heritage village; mentioned in the Domesday Book and containing areas of archaeological interest; a variety of listed buildings, including a Listed Norman Church; the Basingstoke Canal Conservation Area and SSSI and adjacent to Dogmersfield Historic Park and Gardens. The character and identity of this historic settlement would clearly be significantly harmed, and its



coalescence with nearby settlements including Hartley Wintney would be unavoidable.

*7) To protect and enhance:*

- *The natural environment including landscape character;*
- *Water quality, water supply, and groundwater and minimise the probability and impacts of flooding in the District, including through directing development away from areas most at risk and ensuring appropriate mitigation measures such as Sustainable Drainage Systems are included within the design of new developments; and,*
- *Biodiversity in Hart including ensuring appropriate mitigation is in place to avoid any adverse impact of new development upon the Thames Basin Heaths Special Protection Area.*

- We consider that a new settlement would fail to achieve this particular Priority, since it would cause significant harm to the natural environment due to its adverse impact on the numerous important environmental assets in Winchfield and its surroundings including the Thames Basin Heath SPA, Ancient Woodland, Basingstoke Canal Conservation Area and SSSI, Odiham Common and Bagwell Green and Shaw SSSI, and numerous SINC designated sites and area based TPOs. It would also cause significant harm to landscape character and in particular the attractive rolling countryside, and heritage features. Significant parts of the proposed new settlement site are also subject to the risk of groundwater flooding at the surface, and thus the Council would be failing to direct development away from areas most at risk.
- It is also worth noting that a new settlement would significantly alter the level of artificial lighting in this part of the District. There is currently very little street lighting within Winchfield and the surrounding area, which is a highly notable quality given the proximity and extent of ecologically sensitive sites.

*8) To promote healthy and sustainable local communities through protecting and enhancing community, sport, recreation and leisure facilities, and the delivery of a multi-functional green infrastructure network across the District.*

- We consider that a new settlement would fail to achieve this particular Priority. It would inevitably constrain housing supply in many other settlements within the district as it would be the primary focus point for new residential development. As a consequence, less additional housing provision in existing settlements will result in lower developer contributions and fewer opportunities to address social and green infrastructure deficiencies via planning gain.
- Also, as detailed further in our response to question 4, there is no evidence to demonstrate that sufficient provision of 'Suitable Alternative Natural Greenspace' (SANGs) could be accommodated within the proposed new settlement, along with the other biodiversity enhancements, green infrastructure and new recreational activities required to meet the requirements of saved Policy.

*9) To maximise opportunities for sustainable transport infrastructure alongside new development, including facilities for walking, cycling and public transport, and the delivery of measures to minimise, or accommodate the impact of new development on the existing network.*

- We consider that a new settlement would fail to achieve this particular Priority. It would inevitably constrain housing supply in many other settlements within the district as it would be the primary focus point for new residential development. As a consequence, less additional housing provision in existing settlements will result in less developer contributions and less opportunities to address transport infrastructure deficiencies via planning gain.

*10) To ensure new development is well –designed creating safe, inclusive environments and taking account of character, local distinctiveness and sustainable design principles.*

- We consider that a new settlement would fail to achieve this particular Priority. In view of the disparate nature of the 'Area of Search for a Potential New Settlement at Winchfield' (as identified in Figure 13 of the Consultation Document) it is doubtful that a cohesive, distinct, viable and well connected new settlement can be delivered given the physical barriers presented by the motorway, railway and the sizable area of land not available for development in the centre of the proposed Area of Search.
- The area of unavailable land in the centre would also create serious issues for achieving connectivity between the eastern and western parts of the new settlement. There are no public rights of way that could facilitate such movement, and therefore long and convoluted routes would need to be found around this area, which would not represent sustainable design.

*11) To provide measures for adapting to the impacts of climate change and reduce the contribution of new and existing development to the causes of climate change including more efficient use of energy and natural resources and increased use of renewable low carbon energy infrastructure.*

- We consider that a new settlement would fail to achieve this particular Priority. Winchfield forms a vital 'green lung' at the centre of the District, separating the urban area of Fleet and the Blackwater Valley conurbation to the east, and the settlements of Hook and Basingstoke to the west. The loss of such a sizeable area of natural landscape, and associated carbon sinks, is likely to impede the capacity of the District to manage and adapt to the impacts of climate change.

**Please send this response to:**

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## **Appendix 1**

## **WINCHFIELD ACTION GROUP**

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### **JOINT OPINION**

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#### ***Introduction and Summary***

- 1 We are instructed by JB Planning Associates Ltd on behalf of the Winchfield Action Group (“WAG”), who are opposed to the concept of a possible new settlement at Winchfield. Although still at a very early stage in terms of consultation and testing of the evidence base, a new settlement at Winchfield is currently a “preferred” option of the relevant local planning authority, Hart District Council, in respect of its emerging Local Plan.
  
- 2 Winchfield is a rural settlement located to the south of Hartley Wintney and in a gap between Hook and Fleet. The settlement is fragmented due to the M3 motorway and the South Western Mainline Basingstoke to Waterloo railway. Winchfield does not have a defined settlement boundary, comprises 246 dwellings, and has a population of 664. Winchfield has very few services and facilities, and those that do exist include a church, a community hall and two pubs. There is no mains sewage or gas supply. The principal facility that Winchfield benefits from is a railway station, although we understand there are substantial concerns as to the capacity of the same. We understand that Winchfield also possesses a number of heritage assets, which is unsurprising given it is a Domesday village, and that its locally distinctive character

and surrounding landscape are highly valued both by residents and by the many who come to the area for amenity and recreational purposes.

3 Of particular concern to those instructing us, the Council has very recently purported to effect a “volte face” whereby a second regulation 18 consultation exercise, long promised in the Council’s LDS (including during the course of the first regulation 18 consultation), has been scrapped, the intention now being to proceed, after “testing”, straight to a regulation 19 exercise in the autumn of 2015 on the draft submission version of the Local Plan. We are asked to advise WAG whether the Council’s streamlined process, omitting the previously advertised second regulation 18 consultation exercise, would be lawful, and if not whether the issue can be pursued by way of an application for a judicial review in advance of the adoption of the Local Plan and the 6 week challenge period identified in a113 of the Planning and Compulsory Purchase Act 2004 (“the 2004 Act”).

4 In summary, for the reasons explained in more detail below, the course on which the Council has currently set itself is likely to be unlawful (and these are points which can be taken both during the examination itself, as well as by way of an application for judicial review issued prior to submission of the draft Plan) in that:

4.1 Failure to afford the opportunity for a further regulation 18 consultation exercise is likely to be unlawful because:

a. The exercise was very general and high level (for reasons developed at paragraph 22 below). Once (following “testing”) there is “flesh on the

bone” as to what the various Options actually mean in practice (and what the environmental benefits and costs of each will be), it is only then that real decisions can be made regarding housing distribution. In our view, a failure to afford an opportunity for regulation 18 consultation at that stage would be a clear breach of (a) Regulation 18 of the 2012 Regulations, (b) Regulation 13 of the 2004 Regulations, and (c) paragraph 155 of the NPPF (which “must” be taken into account by the Council, per section 19 of the 2004 Act).

- b. Unless the Council re-instates a further regulation 18 consultation exercise at the appropriate time, it will (a) be acting contrary to the legitimate expectation of those who either did or did not submit consultation responses in the August – October 2014 exercise, that they would have a further opportunity to make representations once the “specifics” of the plan were better developed, and will (b) constitute a breach of section 19(1) of the 2004 Act that “local development documents must be prepared in accordance with the local development scheme”, which cannot in our view permit what is effectively a retrospective amendment that would prejudice consultees.
- c. There was no consultation on the extent of housing need that should be met within the District. Indeed, there is no evidence that to date there has been any consideration by the Council of the “reasonable alternative[s]” of providing less than the OAN, on environmental grounds.

- d. There has been no regulation 18 consultation at all on issues such as employment, retail, transport, infrastructure (or, indeed, anything other than housing distribution). It is inconceivable that a coherent and sound local plan could emerge without addressing most (at least) of these issues. Thus, the Council presently appears to be in a hopeless position if it maintains its current course. Either it will proceed with a plan that does not address fundamental matters (thereby exposing itself on the “soundness” issue), or it will incorporate matters which have indisputably not been the topic of *any* regulation 18 consultation.
- e. The regulation 18 exercise was conducted at a time when the “duty to co-operate” discussions with Rushmoor and Surrey Heath were at a very early stage. So long as the Council pursues such discussions in the robust and inquisitive manner which is expected of it, it is presently unclear what additional (or reduced) proposals will emerge in terms of the District’s proposed housing provision. In the event that the general position materially changed between August 2014 and the outcome of “duty to co-operate” discussions, it would be most surprising if the Council opted not to engage in public consultation on the same. In particular, the criticisms of the Council’s first regulation 18 consultation exercise as misleadingly incomplete will be re-inforced if the preference for Option 4 leads to increased housing requirements in consequence of the outcome of “duty to co-operate” discussions.

4.2 As noted above, there is no evidence to date that the Council has considered the “reasonable alternative” of not providing the full OAN within its area, and setting a lower “policy on” requirement, because the environmental cost is simply too high. When this reasonable alternative has been properly considered and tested by the Council, it too should form the basis of the further regulation 18 consultation.

4.3 A judicial review raising points of procedural illegality which is issued prior to submission of the draft Local Plan for examination will not fall foul of the ouster provisions in s113 of the 2004 Act: see *The Manydown Company Limited v Basingstoke and Deane Borough Council* [2012] EWHC 977 and *IM Properties Development Limited v Lichfield District Council* [2014] EWHC 2440. Unless the Council addresses the matters set out in this Joint Opinion, the points in question can be pursued either by way of an application for judicial review (issued prior to submission, and within the 6 week period following the decision which is the subject matter of the challenge), or during the examination.

### ***Factual background***

5 Before considering the legality of the course on which the Council has recently set itself, it is important to consider the factual background against which the current issues arise.



- 6 The Council had an earlier attempt to adopt a Local Plan. But in 2013, this was rejected on grounds of a failure to comply with the duty to co-operate, as well as the quality of the supporting evidence base regarding housing requirements. WAG is concerned to assist the Council to ensure that the same fate does not befall the new emerging Local Plan, although there are different potential failings which are the specific subject of this Joint Opinion.
- 7 In May 2014 a draft updated SHMA was provided to the Council. (This has now been finalised, in December 2014, in what we understand are materially similar terms.) The SHMA covered three local authorities, Hart, Rushmoor and Surrey Heath, which were assessed as comprising a single HMA. (In due course, those instructing us will need to consider and make representations as appropriate on whether the characterisation of the three districts as a single HMA is capable of justification.) The SHMA assessed an OAN (objectively assessed need) for 24,414 new homes in the period 2011-32, with Hart's share being 7,534 (359pa). The Council's position is that, by way of existing commitments, it can accommodate about 3,500 of these new homes, leaving a balance on the full OAN for Hart of 4,000.
- 8 In August - October 2014, the Council conducted a regulation 18 consultation exercise on a "Housing Development Options Consultation Paper". Five Options were put forward, being (1) Settlement Focus (between 580 and 875), (2) Dispersal Strategy (up to 4,000 units), (3) Focused Growth (Strategic Urban Extensions) (up to 3,500 new homes), (4) Focused Growth (New Settlement) (at least 4,000 new homes), and (5) Focusing development away from the Thames Basin Heaths SPA Zone of Influence. Specific sites were not put forward for any of these 5 Options. In

particular, Option 4 was a consultation merely on the principle of a new settlement. It was not a consultation on Winchfield as the only such permutation under Option 4. The questions posed in the consultation exercise invited respondents to rank the various Options, to state whether Hart's smallest villages and hamlets should see some new housing, to identify where any Option 4 new settlement should be located, and to state whether there were any other possible housing development options and for any other comments.

- 9 The consultation exercise ran between August and October 2014. The Council prepared a paper summarising consultation responses. It showed a measure of support for each of the Options from the 550 or so respondents, although there was a preponderance in favour of Options 1 and 4. In response to the question as to where a new settlement might go, the paper indicates, at pages 22-27, a long list of identified locations / areas, of which Winchfield was but one.
- 10 The confusion as regards "Option 4" is evident from the lack of a consultation response of Hartley Wintney Parish Council. In a 4/11/14 letter, that body has complained to the Council that it chose not to respond to the consultation given its "high level strategic" nature, and the fact that Winchfield was not specifically identified as the option being consulted on. The letter noted that it was anticipated that the opportunity to make representations would be taken in the 2<sup>nd</sup> regulation 18 process then set out in the LDS, once specific proposals had emerged. The foregoing is also reflected in minutes of the Parish Council's 3 November 2014 meeting with which we have been provided.

- 11 At its meeting on 27/11/14, the Council resolved that its “preferred housing distribution, subject to testing” envisaged c750 dwelling on brownfield sites, 100-650 dwellings on sites adjoining settlement boundaries, 0-600 dwellings on “strategic urban extensions (no individual site identified)” and 1,800 – 2,400 dwellings at a “new settlement at Winchfield”. Amendments to remove the specific identification of Winchfield were voted down. The “preferred housing distribution” adopted thus envisages contributions from each of Options 1 – 4 from the Housing Development Options Consultation Paper, although the most significant single contribution is from Winchfield.
- 12 The report to the 27/11/14 meeting contended (paragraph 1.3) that Winchfield was “the only area that has sufficient land identified and promoted for development that would create the critical mass needed to support a sustainable new settlement”. The 27/11/14 report also noted, at paragraph 3.4, that the 4,000 dwelling “balance” takes no account of the potential for accommodating a share of the assessed OAN of Rushmoor and Surrey Heath. It noted that both authorities had requested Hart to accept a proportion of their needs (1,700 and 1,400 respectively), but the result of any detailed “duty to co-operate” discussions were not presently known. On any view, this issue introduces a very considerable uncertainty as to the emerging contents of the draft Local Plan.
- 13 At a subsequent Council meeting on 8/1/15, the Council noted the emergence of a new SHLAA site at Murrell Green (proposing 1,800 units), and agreed the approach to the testing of sites (which was to include proposed or newly emerging “strategic development opportunities”). It was also resolved that the Chief Executive should

“ensure that the Council engages constructively, actively and on an ongoing basis, with local parish councils on the testing of the new settlement and strategic development options”.

- 14 On 16/2/15, an updated LDS (the fourth) was published. The version replaced (which dated from April 2014) had made provision for a second regulation 18 consultation exercise in March 2015. The new LDS scraps that step, and indicates a present intention to proceed straight to regulation 19 consultation on a pre-submission version in the autumn of 2015. It can be noted that, quite apart from potential legal flaws considered below, there is a clear tension between the resolution of the Council on 8/1/15 cited above, and the amendment to the LDS to remove such a step.
- 15 It appears to be the case that removing the proposed second regulation 18 consultation was an idea that emerged from the Council’s meeting with a PINS Inspector who was advising informally on the emerging Local Plan. A note of the relevant meeting, which has been supplied by the Council in response to a FOIA request, records (p3) the Inspector’s advice as being: “Keep consultation to a minimum in accordance with Regs. Don’t need a draft plan consultation, but make sure the SA work is done properly, with options tested. If substantial changes are needed, then need to reconsult rather than proceed straight to submission”. As the note is apparently in draft, it is presently unclear if the Inspector agrees that this fully and accurately reflects his advice.

### *Legal and policy context*

16 There are a number of relevant statutory requirements set out in sections 19 and 20 of the 2004 Act, including:

16.1 That “local development documents must be prepared in accordance with the local development scheme”: section 19(1).

16.2 That in preparing the document, the local planning authority “must have regard to” inter alia “national policies and advice contained in guidance issued by the Secretary of State”: section 19(2)(a). This would include the NPPF and PPG.

16.3 A sustainability appraisal must be conducted and reported on: section 19(5).

16.4 The purpose of the examination is to assess, inter alia, whether the submitted draft plan (a) has complied with the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012 [SI 2012/767] (“the 2012 Regulations”) and of the Environmental Assessment of Plans and Programmes Regulations 2004 [SI 2004/1633] (“the 2004 Regulations”), and (b) whether it is “sound”: section 20.

17 The 2012 Regulations. Regulation 18 of the 2012 Regulations provides that a local planning authority “must” (a) notify various persons including affected residents “of the subject of a local plan which the local planning authority propose to prepare”, (b) invite representations “about what a local plan with that subject ought to contain”, and

(c) “must take into account” any such representations when preparing the local plan. Regulation 18 does not preclude more than one round of public consultation, and it is very common for local planning authorities to engage in two or more such exercises. Although additional consultation exercises introduce a further step into the process, they are capable of reducing time overall if thereby obviating the need for, or merit in, procedural objections as to inadequate consultation. They also create public confidence in the process and its outcomes.

- 18 Regulation 19 of the 2012 Regulations provides for the provision of an opportunity to make representations on the proposed submission version of the plan. Such representations are then, in the usual course, considered during the examination of the submitted version of the plan.
- 19 The 2004 Regulations. In a case such as the present, regulation 12(2) requires the preparation of an “environmental report” to “identify, describe and evaluate the likely significant effects on the environment of (a) implementing the plan or programme, and (b) reasonable alternatives taking into account the objectives and geographical scope of the plan or programme”. Regulation 13 requires “effective consultation” on the environmental report and draft plan together. There is a live issue as to whether the 2004 Regulations have accurately and fully transposed, at least by themselves, the provisions of Article 6(2) of the SEA Directive requiring “an early and effective opportunity within appropriate time frames to express their opinion on the draft plan or programme and the accompanying environmental report before the adoption of the plan or programme or its submission to the legislative procedure”.

20     The NPPF and PPG. There are numerous provisions within these documents which are relevant to the plan-making process and the assessment of soundness. For present purposes, these include the following provisions within the NPPF:

20.1   Paragraph 47 of the NPPF requires local planning authorities to use their evidence base to meet the full objectively assessed housing needs of their district “as far as is consistent with the policies set out in this Framework”. Similarly, paragraph 14 of the NPPF provides that for plan-making the full OAN should be met unless the adverse impacts of doing so “substantially and demonstrably” outweigh the benefits, or specific policies in the NPPF indicate that development should be restricted. Thus, while it is necessary to assess by way of starting point what the OAN is within a District, there is a second stage of the process whereby the extent to which the OAN can be met in a manner “consistent with the policies” of the NPPF requires to be assessed. This new two-stage exercise, potentially resulting in a “policy on” figure which is below the OAN was confirmed by the Court of Appeal in *City and District of St Albans v Hunston Properties Limited* [2013] EWCA Civ 1610 and *Solihull Metropolitan Borough Council v Gallagher Estates Ltd* [2014] EWCA Civ 1610.

20.2   Paragraph 155 of the NPPF requires “early and meaningful engagement and collaboration” in respect of the preparation of local plans.

20.3   The elements of “soundness” are described at paragraph 182 of the NPPF. They include that the plan should be positively prepared (ie, meeting the OAN

together with unmet requirements of neighbouring authorities, when this is reasonable), justified (ie, “the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence”), effective, and consistent with national policy.

### *Analysis*

21 In our view, it is likely that progressing the emerging local plan straight to a regulation 19 exercise in the autumn of 2015 pursuant to the most recent version of the LDS, and without a further regulation 18 consultation exercise, will render the process unlawful, and thereby susceptible to an appropriately timed judicial review, or to challenge during the examination process. Our reasons are as follows.

22 First, we are struck by the generalised, high level nature of the August 2014 consultation exercise. This is a point that goes well beyond the fact that Winchfield was not specifically identified as the sole candidate for Option 4 purposes. In addition, no specific site was identified for any of the other Options, in particular Option 3. The Council is currently engaged on what will (presumably) be rigorous testing, duly informed by the instruction of external experts as appropriate, of the key sites / opportunities under Options 1 – 4, pursuant to the mandate contained in the 8/1/15 resolutions. It is self-evident that the whole landscape of the issue of housing distribution will look completely different once this testing process has been carried out. It cannot be predicted what sites or Options will be essentially ruled out (whether as undeliverable, or because of the environmental harm the specific proposal would cause), or what realistic sites or strategies will emerge as coherent and sustainable proposals. For example, we understand there are representations that the realistic



capacity of brownfield sites is not the 750 assumed by the Council's preferred strategy, but something nearer to 3,500. If this were correct (or even if it were only partially correct) that would itself significantly change the extent to which other Options were required to be called upon. Further, if coherent SUE proposals emerge (ie, if the sites at Murrell Green and/or Lodge Farm and/or any other comparable proposal are assessed as realistic candidates for development), it is plain that the need for an Option 4 may well evaporate. The same approach applies in respect of the numerous alternative candidate locations for an Option 4 new settlement set out in the Summary of the Consultation Responses paper (or, indeed, any subsequent proposals). In short, once (following "testing") there is "flesh on the bone" as to what the various Options actually mean in practice (and what the environmental benefits and costs of each will be), it is only then that real decisions can be made regarding housing distribution. In our view, a failure to afford an opportunity for regulation 18 consultation at that stage would be a clear breach of (a) Regulation 18 of the 2012 Regulations, (b) Regulation 13 of the 2004 Regulations, and (c) paragraph 155 of the NPPF (which "must" be taken into account by the Council, per section 19 of the 2004 Act). As regards the draft note of Inspector Holland's (see paragraph 15 above), we do not agree that the brief advice recorded fully explains the circumstances in which a further regulation 18 consultation exercise will be required, but it suffices for present purposes to observe that it is here self-evident that, once "flesh is on the bones" following detailed analysis, the planning landscape will be substantially different from that which was the subject of the Autumn 2014 consultation exercise.

- 23 Second, it is striking to note that the LDS was altered *after* the August 2014 consultation exercise. It is clear that this has led to concerns by residents that a

misleading impression was given to them given (a) the generalised scope of the consultation exercise, and (b) the important background consideration that, at the relevant time, residents were being promised (per the April 2014 version of the LDS then extant) a further opportunity to make representations. This is the complaint advanced by Hartley Wintney Parish Council, and it would appear to be a complaint of substance. Moreover, in our view, unless the Council re-instates a further regulation 18 consultation exercise at the appropriate time, it will (a) be acting contrary to the legitimate expectation of those who either did or did not submit consultation responses in the August – October 2014 exercise, that they would have a further opportunity to make representations once the “specifics” of the plan were better developed, and will (b) constitute a breach of section 19(1) of the 2004 Act that “local development documents must be prepared in accordance with the local development scheme”. As to the latter point, it would make a nonsense of section 19(1) if a council could (with what amounts to retrospective effect) alter an LDS, to the manifest prejudice of consultees. Here, having held a consultation exercise at a time when it was being represented that a further opportunity would later be afforded, it is contrary to the purpose of section 19(1) for the Council to change that, after the first consultation exercise is concluded. We strongly doubt that Inspector Holland was aware of the full picture explained above at the time of his 20/10/14 meeting with the Council.

- 24 Third, we note that the August - October 2014 exercise consulted only on matters relating to housing distribution. This results in two compelling and free-standing objections to the Council’s current proposal of scrapping a second regulation 18 consultation exercise, namely:

- 24.1 There was no consultation on the extent of need that should be met within the District. Indeed, there is no evidence that to date there has been any consideration by the Council of the “reasonable alternative[s]” of providing less than the OAN, on environmental grounds. In our view, it is elementary, and consistent with the 2004 and 2012 Regulations and the NPPF, that such an issue must be properly assessed in the SA/SEA and thereafter the subject of proper consultation (at a time when responses are capable of influencing the contents of the emerging plan).
- 24.2 There has been no regulation 18 consultation at all on issues such as employment, retail, transport, infrastructure (or, indeed, anything other than housing distribution). It is inconceivable that a coherent and sound local plan could emerge without addressing most (at least) of these issues, to which the “duty to co-operate” is likely to apply as well. Indeed, there is a clear link between these topics and housing provision / distribution. We note also that the current evidence base on these matters is, in many instances, significantly out of date. Regulation 18 of the 2012 Regulations plainly requires consultation on the “subject” of a proposed local plan. Thus, the Council presently appears to be in a hopeless position if it maintains its current course. Either it will proceed with a plan that does not address fundamental matters (thereby exposing itself on the “soundness” issue), or it will incorporate matters which have indisputably not been the topic of *any* regulation 18 consultation.

- 25 Fourth, we note also that the regulation 18 exercise was conducted at a time when the “duty to co-operate” discussions with Rushmoor and Surrey Heath are at a very early stage. So long as the Council pursues such discussions in the robust and inquisitive manner which is expected of it, it is presently unclear what additional (or reduced) proposals will emerge in terms of the District’s proposed housing provision. In the event that the general position materially changed between August 2014 and the outcome of “duty to co-operate” discussions, it would be most surprising if the Council opted not to engage in public consultation on the same. In particular, the criticisms of the Council’s first regulation 18 consultation exercise as misleadingly incomplete will be re-inforced if the preference for Option 4 leads to increased housing requirements in consequence of the outcome of “duty to co-operate” discussions.
- 26 Finally, we address the issue as to when the contentions explored above can be pursued. Clearly, the points can be taken during the examination process as objections to the soundness and/or lawfulness of the emerging plan.
- 27 In addition, so long as a judicial review is issued prior to submission of the document for examination, it will not be barred by the ouster provisions in s113 of the 2004 Act: see *The Manydown Company Limited v Basingstoke and Deane Borough Council* [2012] EWHC 977 and *IM Properties Development Limited v Lichfield District Council* [2014] EWHC 2440.
- 28 It is to be hoped that the Council will re-consider their recent “volte face” on a second regulation 18 consultation exercise once the outcome of further testing is available. A

refusal to do so at that time would comprise the decision that is susceptible to a judicial review.

**PETER VILLAGE QC**  
**ANDREW TABACHNIK**

**Thirty Nine Essex Chambers**  
**39 Essex St, London**

**14 April 2015**

## **Appendix 2**

**A critique of Wessex Economics Strategic Housing Market  
Assessment for Hart, Rushmoor & Surrey Heath, December 2014**

**Final Report**

**To Winchfield Action Group and We Heart Hart**

**13 November 2015**

***Urban & Regional Policy***

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# Critique of Hart, Rushmoor & Surrey Heath SHMA

## Final Report

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## Executive Summary

1. The critique focuses in two main areas – (a) conformity of the Strategic Housing Market Assessment (SHMA) with the processes laid down in Planning Policy Guidance (PPG), and (b) compliance of the resulting ‘objectively assessed need’ (OAN) with the requirements of the National Planning Policy Framework (NPPF).
2. The 2011-based DCLG household projection is for an increase of 775 dpa for the 3-District Housing Market Area (HMA) and 356 (Hart). The SHMA proposes a series of 6 adjustments to arrive at an OAN of 1180 dpa (an increase of 52%). There are serious deficiencies in the way this has been done, which means it does not conform with PPG:
  - A series of three adjustments to the DCLG projection (to extend its timescale to the whole plan period; to adjust migration estimates; and to adjust household formation rates) would increase HMA housing needs from 775 dpa to 925 dpa. These are redundant because the 2011-based household projection has been superseded by a 2012-based version. For the same three factors this produces a reduction in needs (from 775 to 763 dpa for the HMA, and from 356 to 241 dpa for Hart);
  - An adjustment for economic growth takes as its lower bound the 700 pa jobs growth in the period 1998-2008, a period of very strong growth. The argument for a higher growth rate than this rests on ‘splitting the difference’ with an even higher figure – which the SHMA agrees to be excessive. The 1998-2008 growth would be a very good result, which might justify increasing housing provision up to 921 dpa for the HMA (up to 340 for Hart). This would be slightly higher than average completions 2001-13 (HMA 885, Hart 314);
  - While no further increases have been proposed in the SHMA for ‘affordable housing’ or ‘market signals’, the evidence put forward under these headings raises further issues. The SHMA suggests a need of 355 dpa for social housing. At the HMA level this would require a quota of 38% of total provision – somewhat higher than the 30% considered realistic by the SHMA. While forming part of the OAN these needs will not give rise to effective demand for additions to the housing stock unless an alternative (and so far unidentified) delivery mechanism is created. The Hart quota is lower at 21%, so this is a lesser problem there.

Implications of this critique for OAN	HMA Housing needs dpa <sup>1</sup>	Hart Housing needs dpa <sup>1</sup>
<b>Starting point: DCLG 2012-based projection (2011-31)</b>	<b>763</b>	<b>241</b>
Adjustment for historic economic growth	921	340
Affordable/social rented housing need (20 year backlog clearance)	355	72
Effective demand for housing	566	268
Quota for social rented need as % of total	38%	21%
<b>Notes:</b> 1. Dpa: dwellings per annum for additional households projected (with no allowance for vacancy or second homes)		

3. The evidence above demonstrates a gap between ‘need’ (OAN) and effective demand (need backed by resources). The clear ‘market signal’ is that housing provision on the scale of the SHMA (1180 dpa) cannot be delivered by the market, and even at the reduced level of 921 dpa there would be difficulties for which no solution is offered. This puts serious difficulties in the way of Local Plans achieving sustainable development as required by NPPF:
  - A dynamic analysis of household formation shows that new households are mainly formed by younger age groups. They do not generally have the resources to buy or rent new housing, but rely on churn of cheaper stock for their housing choices;

- Builders respond to effective demand, not need per se. The effect of allocating large amounts of land to meet OAN will be to provide builders with a wide choice of locations rather than to increase overall housing output;
  - Builders' preferences are for greenfield sites offering lower risks and higher profit margins, especially if targeted on wealthier market segments such as commuters to London, better-off retirees, and those 'trading up';
  - The additional housing provided in response to such demands is largely irrelevant to supplying the local labour market. It also tends to add disproportionately to demands on infrastructure and services, particularly transport;
  - A large surplus of land above effective demand diverts resources (mainly public) from renewal of infrastructure and services in existing settlements, compromising the housing choices available to new households, and their contribution to the local labour market;
  - Provision of land in response to an over-stated OAN will not help meet the needs of new households, and may not even lead to provision of more housing. By undermining the role of existing settlements, it will reduce choice for employers and for new households, and increase travel demand and car-dependency.
4. The rationale for using national projections as the basis for local assessments of housing need depends upon the SHMA process adding up to credible national total. In practice adjustments are being permitted which render the process invalid, and undermine the purposes of NPPF. Meeting housing needs that the market will not meet also requires action at national level. A large-scale programme of social housing is implied if the 'need' figures are to be acted upon, though this is national not a local issue.

## Author qualifications and experience

This submission has been prepared on behalf of Winchfield Action Group and We Heart Hart by Alan Wenban-Smith. He is a Member of the Royal Town Planning Institute, and for the last 10 years a member of its Policy and Research Committee, and its representative on the board of the Transport Planning Society.

He has extensive relevant professional experience in spatial planning in local government, including leading development planning, housing, transport and economic development projects at local, city, conurbation and regional levels. In his last local authority role he was responsible for planning and transport policy for Birmingham City Council, and also chaired conurbation- and region-wide collaboration on planning and transport issues. In these capacities he led a number of joint projects, some later adopted at national level: the first big city Unitary Development Plan, the first regional Strategic Planning Guidance (later rolled out nationally as Regional Planning Guidance), the first conurbation-wide transport investment programme (rolled out nationally as Local Transport Plans), and the first Regional Transport Strategy (later incorporated into Regional Spatial Strategies).

As a consultant since 1996 (trading as Urban & Regional Policy) he has led several projects touching on housing issues in the South East and elsewhere, including advising CPRE on housing in SERPLAN (author of its 1999 report on 'Plan, monitor and manage'); acting as a Special Adviser to the Commons Select Committee Inquiry into the South East Growth Areas (2003/4); advising DfT on integrating transport planning with regional spatial policy (2004); conducting regional case studies on land for affordable housing for the Housing Corporation (2008), chairing a Peer Review of London's land-use transport modelling for TfL (2008/9); and reviewing the Oxfordshire Strategic Housing Market Assessment for CPRE (2014).

## 1 Introduction

### This commission

- 1.1 Wessex Economics (WE) was commissioned by a consortium of the local authorities to carry out a Strategic Housing Market Assessment (SHMA) for the three local authority Districts constituting the Housing Market Area (Hart and Rushmoor (Hants) and Surrey Heath (Surrey)). I have been commissioned by CPRE to critically examine the basis of the SHMA, because of the major implications for housing land across all districts. The SHMA (dated December 2014) is being used by a number of District Councils to update Local Plans that are in the course of preparation, of which Hart is the first.

### National policy context

- 1.2 The National Planning Policy Framework (NPPF) makes clear that purpose of the planning system is to further the economic, social and environmental dimensions of 'sustainable development' (paras 6 and 7). It stresses (para 8) that because of their mutual dependence, *'to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system' which 'should play an active role in guiding development to sustainable solutions'*.
- 1.3 The role of the local planning process in respect of housing is set out in NPPF (paras 47-55). In summary the relevant policies are:
- a) Local Plans are required to make provision for 'full, objectively assessed needs for market and affordable housing in the housing market' [usually abbreviated to OAN];
  - b) Identify and annually update a supply of '*specific deliverable sites*' sufficient for 5-years' worth of housing at the required annual rate, and a supply of *specific, deliverable locations* for years 6-10 and (where possible) years 11-15;
  - c) Set out an 'implementation strategy for the delivery of land for the full range of housing', and 'a housing trajectory for the plan period' illustrating the expected rate of delivery.
- 1.4 Planning Policy Guidance (PPG) sets out the framework for estimating the OAN in a Strategic Housing Market Assessment (SHMA). Unlike NPPF, PPG does not have the status of national policy, and changes from time to time by administrative decision<sup>1</sup>.
- 1.5 The remainder of this report is in three sections:
- a) Section 2 considers in more depth the key points of national policy and guidance on provision for housing in Local Plans;
  - b) Section 3 critically examines the extent to which the WE SHMA complies with PPG, and suggests a figure for OAN which could be compliant;
  - c) Section 4 considers the high probability that effective demand will be significantly lower and different in character from OAN at either level, and considers the implications for the NPPF principle of sustainable development.

## 2 National policy and guidance for estimating local housing needs

### From national projections to local needs

- 2.1 National policy requires the SHMA to be carried out within the framework set by NPPF and current PPG. In this Section we consider the technical underpinning of the projections, particularly whether the adjustments proposed to official household projections are

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<sup>1</sup> PPGs are a web-based resource maintained by DCLG. The Guidance quoted in this report is '*Methodology: assessing housing need*' [www.planningguidance.planningportal.gov.uk](http://www.planningguidance.planningportal.gov.uk) (revised 6 March 2014)

*‘reasonable...consistent with the principles of sustainable development and could be expected to improve affordability’*, as required by the PPG.

- 2.2 The household projections by DCLG that provide the baseline for adjustments are based on subnational population projections (SNPPs) for local authorities by the Office for National Statistics (ONS). The ONS and DCLG projections are ‘policy neutral’; they take past trends and project them forward on the assumption that the same policies and processes are in place in both the past ‘reference’ period and the future ‘projection’ period. They do not estimate the impact of policies yet to take effect.
- 2.3 When considering adjustments we need to be aware of what assumptions and trends are already incorporated, so these are summarised below.

#### **ONS subnational population projections (SNPPs)**

- 2.4 SNPPs are produced every 2 years, based on mid-year estimates of population by local authority area (MYEs), and going forward incorporate trends in fertility, mortality and migration over the previous 5 years. These local estimates are added up and adjusted pro rata (‘controlled’) to the estimated totals at national level. Crucial points for the present purpose are:
- a) The current SNPP are 2012-based and go forward 25 years to 2037. The population of England is projected to grow by 7% by 2022;
  - b) The migration trends used in MYEs and SNPPs are based on international travel statistics, Higher Education student statistics and NHS registrations over the reference period (2007-2012);
  - c) The smaller the area, the more significant local migration becomes as a proportion of population change. NHS and Higher Education statistics are used to study local migration, but it is recognised as the most difficult component of change to estimate;
  - d) The 2011 Census provided an opportunity to check MYEs of population against its counts, showing significant differences in many areas including the present case. These unattributed population changes (UPCs) have been the subject of a study by ONS<sup>2</sup>. This concluded that because (unlike the 2011-based series) the 2012-based SNPPs are fresh forecasts, with reference period MYEs adjusted for the 2011 Census, they should not be adjusted for UPCs;
  - e) Provision of housing is a particularly important driver of local migration, meaning there is a danger of circularity. A projection of households based on past population trends will be influenced by housing provision during the reference period.

#### **DCLG local household projections**

- 2.5 DCLG’s current subnational household projection takes the corresponding population projection (2012-based SNPP) as its base and applies local ‘headship rates’ to each 10-year age cohort. Trends in headship rates for each age, sex and marital status group are projected forward from 1991, 2001 and 2011 Censuses and Labour Force Survey data, and applied to the SNPP projected local population. Key points are:
- a) The headship rates in the household projections rely on much longer-term trends than the corresponding population projection (20 years compared with 5 years);
  - b) The 2011 Census marked a significant turning point in household formation: the long-term decline in average household size appeared to have ended, at least temporarily. The projection thus takes account of the reduction in new household formation following the global economic events of 2007/8 (as shown by the 2011 Census), mitigated by the 20 year reference period it uses.

<sup>2</sup> ONS (2014) *Report on Unattributable Population Change*

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### Guidance on the use of projections

- 2.6 The starting point specified by PPG is the latest official household projections produced by DCLG. PPG implies a cautious approach to adjustments: *'The household projections produced by DCLG are statistically robust and are based on nationally consistent assumptions. However, plan makers may consider sensitivity testing, specific to their local circumstances, based on alternative assumptions in relation to the underlying demographic projections and household formation rates. Account should also be taken of the most recent demographic evidence including the latest Office of National Statistics population estimates.'*
- 2.7 PPG identifies a number of headings under which adjustments may be considered, to reflect:
- a) Sensitivity testing against alternative assumptions about underlying demographics, with any local changes needing to be clearly explained and justified;
  - b) Employment trends for the housing market area, with implications for cross-boundary migration and commuting considered under the duty to cooperate;
  - c) Projections may be adjusted to reflect a range of 'market signals', including land prices, house prices, rents, affordability, past over- or under-delivery against plans, and overcrowding.
- 2.8 PPG states that market signals indicating worsening affordability trends will require upward revision relative to the official projection (and the larger the problem, the larger the adjustment). However, plan makers should *'set this adjustment at a level that is reasonable'*. Plan makers *'should not attempt to estimate the precise impact of an increase in housing supply'*, but rather should *'increase planned supply by an amount that, on reasonable assumptions and consistent with the principles of sustainable development could be expected to improve affordability, and monitor the response of the market over the plan period'*.

## 3 SHMA adjustments to DCLG projections

- 3.1 This Section critically examines how the SHMA has applied the PPG. The SHMA has followed a 7-step process to get from the 2011-based DCLG household projections it uses to the 'objectively assessed need' across the housing market area. The adjustments proposed are as follows:
1. Extension from 2011-21 to 2011-31 to match Local Plans periods;
  2. Adjustment of migration to take account of UPCs;
  3. Adjustment assuming household formation rate will return halfway towards to pre-2008 trends;
  4. Adjustment for chosen economic scenario (almost double the 1998-2008 jobs growth);
  5. The affordable housing requirement;
  6. Consideration of market signals; and
  7. 'Bringing it all together'.

**Figure 1: SHMA adjustments to DCLG projections (HMA and Hart District, 2011-31)**

Steps in the adjustment	HMA Housing needs dpa <sup>1</sup>	Hart Housing needs dpa <sup>1</sup>
<b>Starting point: DCLG 2011-based projection (2011-21)</b>	<b>775</b>	<b>356</b>
1. Extension to 2031 (WE 7.25, Fig 7.3)	790	330
2. Adjustment for migration UPCs (WE 7.38-48, Fig 7.6)	850	310
3. Adjustment for headship rate increase (WE 7.49-59, Fig 7.8)	925	340
4. Adjustment for 'central scenario' economic growth (WE 7.79)	1180	370
5. Affordable housing (housing for rent within 1180 – Fig 7.10)	1180 (355)	370 (72)
6. Market signals: accommodated within 1180 target (WE 7.115)	1180	370
<b>7. Overall housing needs projection (2011-31)</b>	<b>1180</b>	<b>370</b>
<b>Notes:</b>		
1. Dpa: dwellings per annum for additional households projected (with no allowance for vacancy or second homes)		

#### Adjustments to the DCLG household projections

- 3.2 The first point to note is that the 2011-based projections used by WE as its starting point has been superseded by the 2012-based series. This series takes into account adjustments to past MYEs of population within the reference period of an up-dated (2012-based) SNPP, and a revised projection of headship rates. The relevant comparisons are given in Figure 2.

**Figure 2: 2011 and 2012 DCLG household projections compared**

	HMA	Hart
<b>Population increase 2011-31 (persons)</b>		
2011-based SNPP <sup>1</sup>	29,674	16,157
2012-based SNPP <sup>2</sup>	22,100	7,900
<b>Additional housing needs (dpa)<sup>3</sup></b>		
2011-based DCLG	775	356
2012-based DCLG	763	241
<b>Implied change in average household size<sup>4, 5</sup></b>		
SNPP pop/DCLG hh (2011-based)	2.56 to 2.55	2.56 to 2.53
SNPP pop/DCLG hh (2012-based)	2.51 to 2.44	2.51 to 2.46
<b>Notes:</b>		
1. 2011 SNPP + 20x annual projected increase 2011-21		
2. 2012 SNPP + 19x annual projected increase 2012-31		
3. Average increase in numbers of households pa over projection period		
4. SNPP population (all ages) divided by DCLG projected households		
5. 2011-based ahs projection is to 2021; 2012-based to 2031		

- 3.3 In broad terms the 2012 SNPP implies a lower population increase than the 2011 version (very much lower in the case of Hart). However, this is counter-acted by the increase in the household formation rate in the 2012-based DCLG projection (reflected in the greater reduction in average household size). The net effect is a small reduction in the HMA housing need figure (from 775 to 763 dpa), and a larger reduction in the figure for Hart (from 356 to 241 dpa).
- 3.4 The scale of the changes between the two years' projections raises significant issues about the robustness of the procedure, which is returned to later (para 4.17). For the present purpose my comments will focus on the effect on the SHMA projection of OAN. There are two principal points:
- The SHMA has a lengthy discussion of migration (WE 7.30-48 refers), seeking to 'correct' the 2011-based SNPP for unattributed population changes (UPCs) and for revisions to MYEs affecting the projection reference period (see 2.4(d) above). The 2012-based SNPPs are fully up-dated taking on board data not available when the SHMA was produced, so these adjustment are no longer necessary;

- b) Similarly, the DCLG household projection incorporates higher rates of new household formation than the 2011-based series, rendering the discussion in WE 7.49-59 superfluous.

3.5 As noted earlier (2.6 above) PPG states that *'The household projections produced by DCLG are statistically robust and are based on nationally consistent assumptions'*, and any adjustments must be fully justified. These two no longer are, and the increases set out against Steps 1, 2 and 3 in Figure 1 are no longer valid. To comply with PPG any adjustment for the remaining factors (economic growth, affordable housing and market signals) must start from a need of 763 dpa for the HMA (241 dpa for Hart).

#### **Adjustments for economic growth**

3.6 The SHMA considers three economic scenarios, each leading through a set of assumptions about economic activity rates, commuting, and part-time or double-working to a linked need for housing the resulting workforce:

- a) The 'historic trend' established over the strong growth period 1998-2008. Jobs growth for the HMA averaged 700, requiring 925 dpa if continued;
- b) An Experian projection for more than double this number (1,560 jobs pa), but of which no further details are given. This would require 1,390 dpa;
- c) A 'Central Scenario' which splits the difference (1,130 jobs pa), which would require 1,180 dpa.

3.7 While the assumptions linking households and employment are reasonable, the same cannot be said of the economic scenarios themselves. The 'Central' scenario is chosen by WE without any apparent justification other than its centrality. There are several reasons for regarding this as unsafe:

- a) The 'historic trend' is already optimistic, given that since 2008 employment in the area fell and has only barely recovered. This much recovery was heavily dependent on Surrey Heath, while the other districts in the HMA continued to lose jobs (WE Figs 4.4, 7.9).
- b) There seems to have been pressure from business consultees to adopt the Experian projection (WE Appendix A, paras 18-22). This follows an established pattern elsewhere: those with an interest (both businesses and institutions) favour optimistic views of future growth, as this both flatters their power and provides a platform for seeking funding (usually public funding) to bring the projections about. WE rightly rejected this projection, but do not seem to have recognised that this also compromises the case for their 'Central' scenario.
- c) The 'historic trend' relates to a period in which there was a very active regional policy, even in the relatively prosperous South East, funded by Government through Regional Development Agencies. Only about a quarter of the resources applied by RDAs have been transferred to LEPs, and local authorities were also more active then than they can be now. It seems highly unlikely that much better results than 1998-2008 will be achieved in future with reduced resources for infrastructure, services and training, even before considering the more challenging national and global context.
- d) A large proportion of overall employment is population-related services, both public and private. The public components include major employers such as the NHS, education and local government. These are all subject to significant job losses, set in train in 2011/2, since increasing in pace, and likely to continue for some more years, as a matter of Government policy.
- e) The 20-year 'reference period' for the household projections includes the 1998-2008 period of strong growth, so its effects on headship rates are already factored in.

- 3.8 All these factors suggest that the 'historic trend' is at the upper, not the lower, limit of probability. The associated increase in housing needs depends on the detail of the model linking working age population to housing, but we should note that the effect of lower population and household size in the 2012-based SNPP will pull in opposite directions. As a first approximation, the increase between Steps 3 and 4 in Figure 1 (255 dpa) should be reduced pro rata with the difference in jobs growth between the two scenarios (700 vs 1130 pa) to 158 dpa. This would produce a future housing need of 921 dpa for the HMA (763 + 158), and Hart's share (on the same basis as the SHMA, Figure 7.8) would be around 340 dpa<sup>3</sup>. This is slightly higher than the average completions 2001-13 (HMA 885, Hart 314), and thus consistent with the view that this is a positive, but not unrealistic long-term projection.

#### **Adjustments for provision of affordable housing**

- 3.9 The final heading for adjustment is whether additional housing provision is required to ensure an adequate supply of affordable housing. The SHMA is conflicted about what is meant here by 'affordable housing': its need figures relate to 'subsidised rental housing' (primarily local authority and Housing Association stock), but the delivery mechanism is through a quota on private housing development. Though it is stated that 400 dpa has been delivered 'in recent years' (WE 8.13) this is not developed, nor figures given for past performance. 'Intermediate' housing such as is often sought through Section 106 Planning Obligations (eg shared equity, starter homes and cross-subsidised units) is explicitly excluded (WE 8.19). However, no alternative delivery programme for 'subsidised rental' housing is suggested *'since it is uncertain and the assessment is designed to inform how much new affordable housing might be required'* (WE 8.20).
- 3.10 The SHMA makes no additional provision under the 'affordable housing' heading, because its 'central case' economic projection is so high that the projected need for 'affordable housing' (HMA 355 dpa, Hart 72 dpa – WE Fig 7.10) could be expected to be provided by way of planning obligations at 30% of total housing permitted. Implicit in this is that a significant proportion of planning obligations would need to take the form of cash payments to social housing providers. At the lower level of provision suggested here (921 dpa) the quota would need to rise to 38% over the HMA (though only 21% in Hart). However, there are other factors to take into account:
- a) 'Affordable housing' is defined for planning obligation purposes as up to 80% of market price or rent. It is clear from the SHMA analysis of local incomes, prices and rents that the 80% level would not in fact be affordable to many of the newly-forming households that are the target of such provision (WE Fig 4.9, 6.9-11);
  - b) The government has for some time been encouraging negotiated reductions in affordable housing requirements in new developments (in order to increase output). Although a recent Court judgement has suggested the ending of the exemption of small developments from affordable housing quotas, which might lead to an increase in such provision, this is being appealed by DCLG;
  - c) The recently published Housing and Planning Bill would require local authorities and Housing Associations to sell off their better stock – and the general 'Right to buy' continues. This may help meet some of the private housing demand, but would increase the need for subsidised rental housing, making a credible delivery mechanism even more crucial.
- 3.11 The absence of effective demand does not of course remove the demographic need for such housing. However, to the extent that past housing provision (like past economic

<sup>3</sup> The translation of a job growth figure into a corresponding housing need number is not an exact science – there are too many variables in between (such as unemployment, 'double jobbing', economic activity rates, and This is true at the HMA level and much more so at the level of individual Districts.



growth) has been a factor in the trends towards higher headship rates (and lower average household sizes), these needs are already captured in the projections. It does emphasise the difference between 'need' in these terms, and 'effective demand' – that is, need backed with sufficient money to allow its realisation. PPG as presently formulated treats these two different concepts as the same.

- 3.12 Starting with the OAN of 921 dpa arrived at above for 'historic growth' (3.8), effective demand would be 566 dpa (921-355) for the HMA, and 268 dpa (340-72) for Hart. The resulting affordable housing quotas would be 38% for the HMA and 21% for Hart. While the need for genuinely affordable housing is captured in the housing need projections already reviewed (355 dpa), the absence of a delivery programme has already been noted. Adding to the OAN in the hope that this will increase affordable housing output (as is sometimes done) is logically incoherent: if the additional houses could be sold they would either meet the needs themselves or draw in additional migration.

#### **Market signals**

- 3.13 As for affordable housing the SHMA concludes that the need for more housing to respond to market signals indicating shortage is already covered by its OAN of 1180 dpa. With the lower need discussed above there would be less market pressure on prices arising from lack of new homes; in any case, house prices are very insensitive to new build for reasons discussed later (para 4.1). New housing is a small part of the overall market (around 10% of the annual supply), so the number of extra houses needed to lower prices and increase affordability by that means is correspondingly very large, and there is no credible commercial motivation to do so.
- 3.14 The experience of the years since 2008 is that even 'volume' builders would rather build fewer houses at a higher margin than risk lower prices. The evidence of the SHMA itself gives the clearest possible market signal that the OAN cannot be delivered by market housing.

#### **'Bringing it all together'**

- 3.15 We have seen that following the procedures laid out in PPG leads to an estimated OAN much higher than effective demand. In Section 4 we conclude that the effects of making such provision in the Local Plan are destructive of the achievement of the sustainable development objectives of NPPF. We have already noted that NPPF takes precedence over PPG; it should also be noted that Planning Inspectors are obliged to consider NPPF as a whole<sup>4</sup>. The implications of this conclusion are considered further in the next Section.

## **4 Implications of a high OAN for compliance with NPPF**

### **How housing needs arise and are met**

- 4.1 The process of estimating housing needs set out in PPG and followed by the SHMA has been in use by DCLG and its predecessors for at least 40 years. In essence it compares the projected net increase in households with the supply of new housing, on the premise that for needs to be met these two numbers ought to be in balance. In the long run, and at the scale of the wider housing market (the greater South East in this case) that may be true, but the implicit assumption that new houses met the needs of new households is not true. This has important, but often neglected, implications for the provision of land through the planning system:

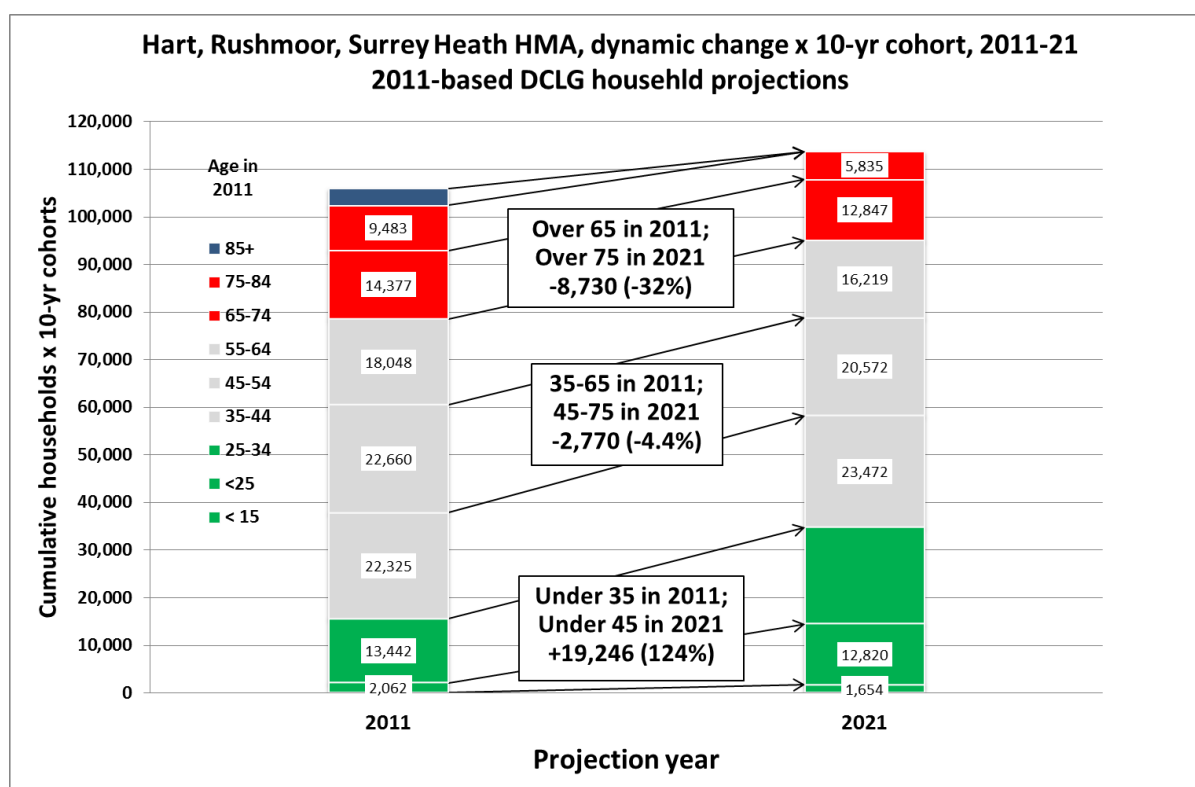
- a) New households are mostly young and can seldom afford to buy or rent new, but depend rather on 'churn', and particularly on churn in cheaper areas.

<sup>4</sup> Hickinbottom, J in *Gallagher Homes vs Solihull MBC*, [2014] EWHC 1283 (Admin)

- b) Housing is unlike most other products on the market, not only because 90% of the market is second-hand, but also because of the expectation that its value will increase.
- c) The SHMA process is about meeting newly-arising housing needs, but builders' practice (reasonably enough) is to sell to people with money to pay – overwhelmingly those already housed, with a house to sell, and not therefore in housing need.
- d) The attraction to builders of increasing allocations of land is the freedom this gives them to develop the most advantageous sites for these markets. More land has been accompanied by declining output of houses, while house prices have resumed their former rise.
- e) Making more finance available both directly (eg 'Help to Buy') and indirectly (eg Quantitative Easing) fuels further rises in prices and encourages sub-prime lending.
- f) The divergence between net growth in housing needs (as expressed by official projections based on past trends in household formation) and effective demand for new houses (demand backed by funds, including from public and private landlords) has exacerbated these tendencies.

4.2 The net change approach, outlined above, effectively compares 'snapshots' of need at start and end dates, and examines the net changes between them. This does not illuminate the dynamics of household formation, any more than snapshots of a river at two dates tells us anything about the flow of water. Figure 3 below examines the flow of age groups through household formation so as to display the dynamic processes.

**Figure 3: Household formation and aging – HMA 2011-21 (DCLG 2011-based series)**



4.3 This analysis uses the 2011-based series because an age-group breakdown has not been published for the 2012-based series. However, though the detailed figures might be slightly different, the pattern will be much the same:

- a) The major source of increased needs is amongst younger households – those under 35 in 2011 increase by over 120% (19,000) as they become the under-45s of 2021;
- b) The over 65s of 2011 decrease by nearly a third and nearly 9,000 as they become the over 75s of 2021;
- c) The numbers of the in-between group – 35-65 in 2011, 45-75 in 2021 are more stable.

4.4 Thus when speaking of ‘new households’ we need to be aware that this is overwhelmingly the youngest age group. This is the age group that has suffered most from shifts in the distribution of income mover the last decade.

#### **Effects on the location of new houses and demands for services and infrastructure**

4.5 Brownfield land is a flow of sites arising from urban change processes which are not necessarily predictable in detail and in advance. It follows that a large increase in immediately identifiable land must mostly be greenfield, not brownfield sites. .

4.6 Unsurprisingly builders will choose the easiest and most profitable sites from those offered by the planning system – generally greenfield sites. The consequences include:

- a) A more dispersed pattern of new development, likely to lead to more personal travel and increased car-dependency; and
- b) Additional service and infrastructure costs once local capacity thresholds are exceeded.

4.7 While planning obligations may make contributions to some such costs, there are many other calls (not least affordable housing). Developers have been seeking (and getting) reductions on viability grounds, and can look forward to such levies being discontinued altogether. The further effects of this include diversion of limited public resources and attention from renewal of infrastructure and services within existing settlements.

4.8 This has crucial housing, social and economic impacts. As noted previously, 90% of the housing market is churn, so the continuing attractiveness of existing stock is the dominant factor in the quantity and quality of housing choice in the HMA as a whole. The environment, services and infrastructure of existing communities need renewal and reinvestment to maintain their attractions, or they will suffer selective out-migration, leading to further deterioration. This is particularly crucial for newly forming households who depend overwhelmingly on existing entry-level homes.

#### **Housing market segments served by excess provision of land**

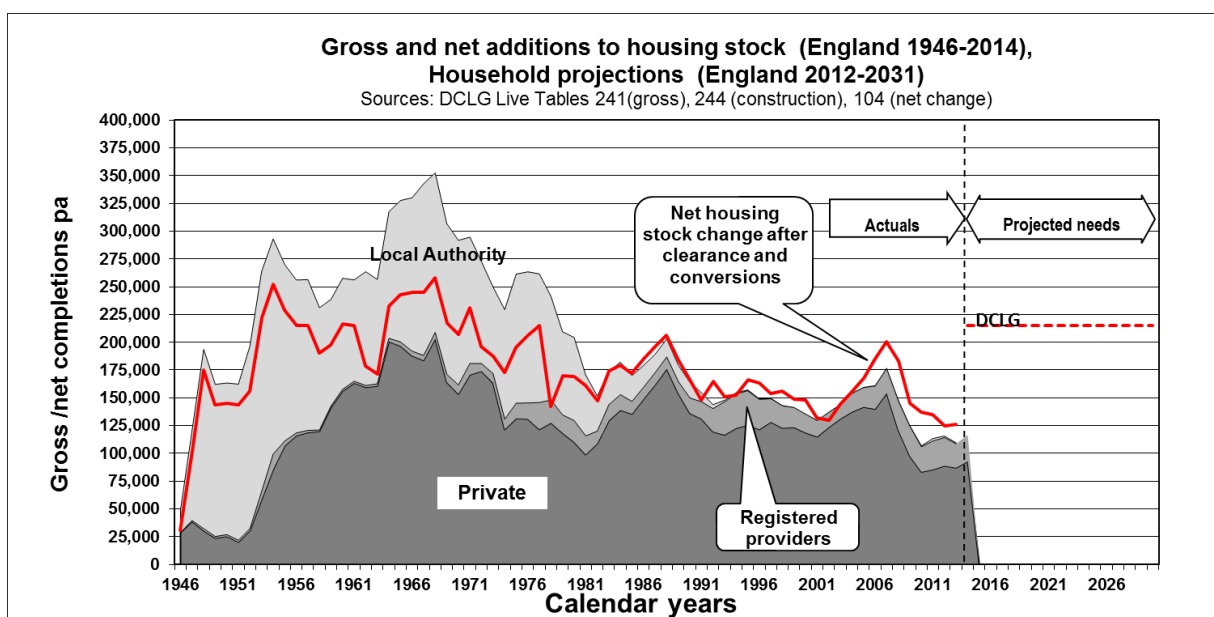
4.9 The limiting factor determining housing output is not land but finance. Rising prices limit access to owner-occupation, and ensure that new housing will tend to be bought by people who are already housed: such as those trading up; commuters to better-paid jobs elsewhere; and those retiring to the country from urban areas. Already nearly half HMA residents commute to other areas, mostly to London (WE 2.41). Only a small proportion of the groups most likely to buy new houses are relevant to meeting the labour needs of the local economy, and the more new housing moves up-market, the smaller this proportion will be.

4.10 Far from helping new households, setting OAN at a level that is not supported by effective demand is particularly destructive of the housing opportunities available to newer, younger and less well-off households. Meanwhile, the housing that does get built in such circumstances is least likely to be conducive to ‘sustainable development’ as defined in NPPF.

### Wider implications of the scale of the SHMA projections

- 4.11 The DCLG 2012-based household projection gives a net increase in housing needs for England of 215,000 pa over the period 2011-31. Figure 4 puts this into the perspective of housebuilding since 1947. It can be seen that for 50 years (the late 1950s to 2008) private sector building has (apart from brief periods in the mid-60s and mid-80s) been in the range 125-150,000 pa. Since 2008 private completions have been around 90,000 pa. There are good reasons for believing that this is symptomatic of lower effective demand, as it has persisted in spite of low interest rates and measures to support mortgage lending.
- 4.12 The periods of highest overall housing output were between 1950 and 1980, and depended upon very active programmes of social housing, mainly by local authorities (far from 'crowding out' private housing these went hand-in-hand). Large scale clearance programmes took place until the 1980s, reducing the overall housing gain; but these came to a close and since 2000 there has been a net gain from conversions and subdivisions of up to 20,000 pa over remaining clearance.
- 4.13 It is clear a realistic response to OAN, at whatever level is estimated, will require substantial programmes of subsidised housing. Planning obligations are under pressure, very little direct public housing provision is proposed, and Housing Associations and local authorities are to be required to dispose of their best quality stock.

**Figure 4: Housing provision (England, 1947-2014 and projected needs 2011-31)**



- 4.14 I have reviewed many SHMAs since the current PPG came into force (March 2014), and nearly all have proposed substantial increases over the DCLG household projections current at the time of their preparation, and the increase of over 50% in the present case is typical. The Oxfordshire SHMA proposed a 270% increase and Inspectors have obliged District Local Plans at subsequent PLIs to make provision accordingly.
- 4.15 There is clearly something seriously amiss if housing provision in Local Plans add up to much more than a national projection described as '*statistically robust and [are] based on nationally consistent assumptions*'. As has been pointed out in this Section a significant over-supply is not a 'bonus': it will not necessarily increase housing numbers; it is incompatible with the central NPPF commitment to sustainable development; and there are serious financial, social, economic and environmental costs.

- 4.16 A Freedom of Information request to DCLG seeking the cumulative effect of these 'adjustments' has been refused on the ground that the DCLG does not collect the figures. Given the stress placed by PPG upon national projections, and the importance of this information to the local response this borders upon irresponsibility.

#### How robust is projected OAN?

- 4.17 We have seen how major changes in the OAN have arisen from changes in the projection base in a single year. Although the 2011 Census was a key factor in this case, it is not the only reason for variability. European and global economic prospects remain as volatile as ever, and will continue to influence effective demand for housing, whatever happens at national level.
- 4.18 Allocation of land for housing is essentially a one-way process; once included in a development plan, there is no going back – only under-provision can be corrected later, by making further allocations if the projection turned out to be too low. If there was over-provision, either because the projection was too high, or because land came forward more quickly than expected, no corrective action is possible. As well as being more difficult to correct, the risks associated with over-provision of housing land are very much more serious than for under-provision, as summarised in Figure 5 below.

**Figure 5: Summary of risks of over- and under-provision of housing land<sup>5</sup>**

Risks of over-allocation	Risks of under-allocation
<ul style="list-style-type: none"> <li>• increased vacancy, concentrated in most marginal existing stock</li> <li>• accelerating decay and dereliction in the poorest neighbourhoods</li> <li>• removing decent entry point housing in all tenures by concentrating deprivation and low demand</li> <li>• unnecessary greenfield development, leading to increased travel demands and loss of countryside</li> <li>• inability to take corrective action</li> </ul>	<ul style="list-style-type: none"> <li>• reduction of land banks and less certainty about long-term pattern of development</li> <li>• higher land prices and increased pressure on marginal sites</li> <li>• possibility of 'town cramming'</li> <li>• upward pressure on the price of new housing, especially in areas of high demand and high restraint</li> <li>• corrective action is possible</li> </ul>

- 4.19 While the projections cover a 20 year period, their effect is immediate. The housing land delivery mechanism set out in NPPF requires a 5-year supply at the rate implied by meeting '*full, objectively assessed needs*'. Increasing the annual rate means that Districts may be in the position of not meeting this criterion, and therefore faced with the choice of either:
- a) Accelerating adoption of Local Plans which include such provision (the government's aim); or
  - b) Losing appeals against refusal of planning permissions for housing.

#### Compliance with NPPF

- 4.20 The overriding directive of NPPF is the promotion of sustainable development. As noted earlier (para **Error! Reference source not found.**2) the mutual dependence of economic, social and environmental gains requires that they are sought jointly and simultaneously through the planning system. In Section 3 of this report, the SHMA was shown not to be compliant with PPG. In this Section it has been shown that an unrealistic OAN, lacking a credible mechanism for delivery of its social housing component, means that the SHMA pre-empts the ability of Local Plans in the HMA to meet this central NPPF requirement as well.

<sup>5</sup> A Wenban-Smith (2002) '*A better future for development plans: making 'plan, monitor and manage' work*', Planning Theory and Practice Volume 3 No1, pp 33-51