



Plymouth and South West Devon Joint Local Plan Examination

Matter 7 - Policy Area Strategies: Plymouth

Mr Edward Heynes, Heynes Planning Ltd For D Stratton/R and B Bennet/J Stratton

- 1.1 Heynes Planning Ltd have been instructed by D Stratton/R and B Bennet/J Stratton to make representations on the Plymouth and South West Joint Local Plan 2014 – 2034 (referred to in this document as the 'JLP'). Our Clients have an interest in land adjacent to Ernesettle Lane/north of St Budeaux A38 junction, Plymouth that is covered by draft Policy PLY59 (Site no. 12) as set out in the JLP.
- 1.2 In summary, our Client's representations on the JLP is that the land covered by the draft Policy PLY59 (Site 12) should be allocated for housing subject to modifications to that Policy and other policies as set out in the aforementioned representations.
- 1.3 On behalf of our Clients we have consistently engaged at every opportunity within the context of the plan making process to promote the land covered by Policy PLY59 (site 12) for development. Representations have been made by Heynes Planning on behalf of our Clients in relation to the submission version of the JLP and earlier versions, including the Plymouth Plan. Our representation dated 26th April 2017 made in relation to the pre-submission consultation under Regulation 19 sets out when various submissions have been made. The contents of that submission are relied upon in terms of evidence for the hearing sessions that we have been invited to on behalf of our Clients. That said, it is supplemented with additional material as a direct response to the matters and issues for investigation as set out in document EXC7, Matter 7, paragraph 7.6.

2.0 Inspectors Questions and Answers

Matter 7 Policy Area Strategies: Plymouth

Main issue - Does the JLP provide a robust framework for the delivery and management of development across the Plymouth Policy Area (PPA) that is justified, effective and consistent with national policy?

Q 7.6 i) a) In relation to housing site allocations proposed for development within the PPA is the scale of housing for each site justified having regard to any constraints and the provision of necessary infrastructure?

- 2.1 As stated above, our interest lies with the proposed allocation set out at draft Policy PLY59 (Site 12). Through various representations made to both the JLP and Plymouth Plan we have set out, on behalf of our Clients, the rationale for development of the site taking into account our understanding of its suitability for development and the constraints and opportunities that exist. The Councils have, we understand, undertaken an evaluation of the site at the stage of producing the SHLAA and through analysis undertaken as the Plymouth Plan and JLP have been prepared.
- 2.2 The draft Policy contained in the Submission version of the JLP identifies a capacity of 120 homes and that development of the site needs to take into account five criteria. In our view,

none of these criteria unduly affect the ability of the site to come forward or restrict the ability of the site to deliver the capacity identified in any way. This is because the intention is to leave a significant part of the land in our clients ownership free of buildings in order that substantial landscape buffers and areas of greenspace can be provided. We have already submitted to Plymouth City Council in October 2016 a technical document relating to highways, access and sustainability and this document confirms i) there are no issues regarding delivery in terms of vehicular access and ii) that the site has good sustainability credentials in locational terms.

- 2.3 That said, whilst we acknowledge that the constraints may exist it is only through the development management process that the precise amount of development can be established. On that basis, we urge the Inspectors to consider the capacity identified for this site being an ‘approximation’ or a ‘minimum’ on the basis that i) we consider that it can deliver 120 homes; and ii) through an appropriate design approach, more units may be provided which is consistent with the Governments objective of boosting the supply of housing.
- 2.4 It should also be noted that in the case of this site, the Council has suggested a proposed modification to the Policy (EXC10A/B) which reduces the capacity of the site to 94 homes and the development of the site is subject to amended criteria. We understand that this amendment has been made following representations made by Historic England. Again, in our view, none of these criteria unduly affect the ability of the site to come forward or restrict the capacity beyond that identified. We have no objection to this modification at this stage subject to the inclusion of the words ‘at least’ or ‘minimum’ being included to guide the number of homes to be delivered as set out above. Such an approach would be consistent with the Councils approach of identifying a ‘minimum’ housing requirement.

Q 7.6 i) b) In relation to housing site allocations proposed for development within the PPA is the housing trajectory (TP3C) realistic for each allocation: are there any sites which might not be delivered in accordance with the timescale set out in the trajectory?

- 2.5 Whilst the question refers to document TP3C, the trajectory for the proposed site allocation of interest to our Client is set out in document TP3B (now updated to TP3F) with reference also to TP3H. The trajectory for the site as set out in TP3F is considered appropriate. Our Clients have taken specialist advice regarding market expectations for this site and the trajectory reflects the analysis that has so far been undertaken. We make no comment in relation to other sites.
- 2.6 It should be noted that if the site as modified in terms of its capacity is reduced then delivery in years 2023 – 24 to 2024 – 2025 would stay the same but that 2025 – 2026 should make reference to delivery of 34 units.

Q 7.6 i) c) In relation to housing site allocations proposed for development within the PPA are the specific development requirements of each site allocation policy effective and justified by evidence?

- 2.7 Refer to the answer to Q. 7.6 i) a) above. The Councils will confirm the extent of evidence to support the draft allocation within draft Policy PLY59, Site 12.

Q 7.6 i) d) In relation to housing site allocations proposed for development within the PPA for those sites where masterplans and design codes are required, what are the timescales for their production and have these been taken into account within the delivery timescale for the development? Is this reflected in the housing trajectory?

- 2.8 As far as we are aware no design code/masterplan is required for this site.

Q 7.6 i) e) In relation to housing site allocations proposed for development within the PPA

will the allocations achieve sustainable development?

- 2.9 We have set out the planning justification for the allocation of our Clients site at draft Policy PLY59, Site 12 through the representations as set out in Section 1 above. In summary, we consider that this site has the ability to deliver housing in a suitable location in the City that has ease of access to services and which can be accessed on foot. For example, the centre at Crownhill lies a short distance to the east and this has a range of shops and services that can be reached within acceptable walking distances by foot using existing footways. There is also an overpass (of the A38) at the northern end of Ernesettle Lane before it turns eastwards to join its junction with the A38 which allows access to the wider urban area of Plymouth south of the A38. There is a place of worship to the north of the site plus allotments. A sports club and public house lie immediately adjacent to the site next to Ernesettle Lane. A care home also sits close to the site.
- 2.10 Further, there are existing bus stops very close to the site on Ernesettle Lane and Crownhill Road therefore future residents will be able to access bus services that use those stops. Indeed, they may be able to be improved in terms of regularity. We therefore consider that the site is indeed well placed to access local services and facilities by foot, cycle or public transport. Therefore, there should not be a concern regarding whether this site is appropriate or not for development in terms of accessibility to local services/facilities.
- 2.11 As submitted previously, the site does not, at present, have public access. Our Client understands the need to provide suitable areas of public open space as part of the development. Those open spaces will not just benefit those local residents who reside in any new development on the allocation but also residents of surrounding properties and communities who wish to access public spaces. There is clearly an opportunity to provide integration with the local community.
- 2.12 Beyond locational considerations, and in examining wider sustainability issues and benefits that the scheme will bring, at this stage, the site can provide suitable amounts of open market and affordable housing which can assist in meeting local needs. The allocation of this site and its subsequent development will, therefore, contribute towards meeting the Governments objectives of creating sustainable patterns of development as set out in the NPPF. In our view, the proposals will result in sustainable development.

Q 7.6 ii) and iii)

- 2.13 No observations to make.

Q 7.6 iv) Is there sufficient flexibility in the trajectory to ensure that housing land supply will be maintained and will deliver the requirement of Policy STP3?

- 2.14 We refer to our representations dated 26th April 2017 regarding this matter.

Q 7.6 v) Will the housing provision made within the PPA have a reasonable prospect of delivering its share of the five year housing land supply at the point of adoption of the JLP?

- 2.15 We refer to our representations dated 26th April 2017 regarding this matter.

Q 7.6 vi) Does Policy DEV7 adequately address the needs of different groups in the PPA in accordance with the first two bullet points in paragraph 50 of the Framework? Are the needs set out in DEV7 point 1 i-iii based on robust evidence?

- 2.16 Our view is that the Policy in general terms sits comfortably with the first two bullet points of para. 50 of the NPPF. Indeed, the Policy at 1. i) to iii) replicates para. 50 by stating that a mix

of housing sizes, types and tenure appropriate to the area should be provided. It then goes on to identify where particular needs lie and the type of accommodation that should be provided. Through the use of the phrase ‘the most particular needs’ it does not exclude other house types.

- 2.17 As has been highlighted, the crucial matter that needs to be addressed in relation to this matter is whether the evidence supports the type of accommodation listed. Paragraph 50. of the NPPF in bullet point 2 makes it clear that Councils should ‘identify’ the type of housing that is required to meet local demand and that can only be confirmed through the provision of a robust evidence base. The Councils will no doubt confirm their position in relation to this matter.

Q 7.6 vii) Policy DEV7 point 2 requires at least 30% affordable homes on developments of 11 or more dwellings:

a. Is the level of affordable housing proposed supported by the evidence or would a higher figure be justified?

b. Is the use of the term ‘at least’ appropriate and does it provide certainty about the affordable housing requirements?

c. It has been suggested that the current higher affordable housing levels sought by PCC should continue. Does the policy seek to deliver a higher % of affordable homes (above 30%) where relevant and if so how will this be achieved?

d. Is the exception for sites of 11-14 dwellings to provide an off-site affordable housing contribution justified? How will the contribution be calculated? Should this mechanism apply to larger sites? Is it clear how off-site contributions will deliver the required affordable homes?

e. Has on-site provision been considered?

f. Overall is the policy based on robust evidence, will it meet the objectively assessed need for affordable housing and is it viable?

- 2.18 Our collective response to this question is as follows. The ‘headline’ requirements in respect of draft Policy DEV7 are that on sites above 10 homes at least 30% of the total number of homes should be affordable without public subsidy, that viability has a role to play in determining final levels of affordable housing, that these should be provided on site and finally, an exception can be made regarding sites that accommodate between 11 and 14 dwellings in which case an off-site contribution can be made.

- 2.19 Clearly the evidence base needs to be sound to support the objectives and requirements of the draft Policy but in our view the inclusion of the words ‘subject to viability’ are key because whatever headline threshold figure is put forward in the draft Policy there must be flexibility to allow for delivery of sites. A rigid approach to the provision of affordable housing can only lead to a failure to deliver sites that otherwise have the potential to come forward and this would be contrary to the objectives of the NPPF which is to boost the supply of housing.

- 2.20 In terms of whether 30% provision is acceptable, the Housing Topic Paper (doc. ref. TP3) in Section 9 confirms the Councils approach. Clearly there is an acceptable evidence base that supports the levels proposed and there are no sound reasons as to why the threshold as set out in the Policy should be altered.

Q. 7.6 viii) and ix)

2.21 No observations to make.