

ISSUE: Whether the approach to the provision of housing is justified, positively prepared, effective, deliverable and consistent with national policy and the Core Strategy

5b) Delivery

Policy MLS1 – Phasing of Sustainable Urban Extension sites

1. What evidence is there that this policy is effective, justified and consistent with national policy?

The NPPF (2012) is clear that a key aim of national policy is to boost significantly the supply of housing by seeking to meet the full, objectively assessed needs for market and affordable housing as far as is consistent with the NPPF (paragraph 47). It is considered that it is common ground that the Council is not meeting its full, assessed housing need and so in order to be consistent with national policy the Council should be therefore seeking to bring forward new housing as soon as it is practical to do so. Furthermore, it is noted that the housing requirement set out in the Core Strategy is a minimum, rather than a maximum, figure.

In light of our responses to questions within Matter 5a, it is clear that the basis for calculating housing land supply is shortly to change with the base position likely to increase significantly, albeit the exact figures are unknown. It is therefore important that in order for the policy to be justified it needs to be sufficiently flexible to respond to changing circumstances.

In our view Policy MLS1 as currently worded seeks to micro manage the release of the identified urban extensions by seeking to release the bare minimum of sites to maintain a 5 year housing land supply in a way that is incapable of responding quickly to changing circumstances given the long lead in periods prior to occupation of new homes (i.e. application submission, determination, discharge of conditions, construction).

The Council has identified 12 urban extensions, all of which must be considered to be in sustainable locations otherwise they would not be proposed to be allocated. On this basis and unless there is a compelling infrastructure or other reason that should delay a site's delivery then the Council should be seeking to facilitate their delivery as soon as is practicable to do so in the context of the significant housing need.

The Council has published a MLS1 Phasing Document (SD45) that sets out the evidence to justify the proposed phasing policy which in a large part relies on the conclusions of the Core Strategy Inspector. It is evident that his conclusions were largely informed by the desire to avoid the early release of greenfield sites that could compromise the Council's urban areas first approach. The Inspector's report is now over 4.5 years old and we are approaching half way through the Plan period (2012-2027), past what can be considered the 'early stage' of the Plan (especially when factoring in the lead in periods for developments).

We also consider it relevant to take into account the 'gestation' period of the Core Strategy and what was occurring to national (and regional) planning policy at this time. The Core Strategy was prepared in the backdrop of the old PPSs/PPGs and the South East Plan and was submitted for examination in May 2012, very shortly after the publication of the NPPF. Following examination it underwent a number of significant changes which explains why it was not adopted until mid-2014. The timing of the preparation of the Core Strategy meant that in our view it was not assessed against the guidance contained within the NPPF (and PPG) as rigorously as it would have been had the NPPF been in place earlier in the preparation of this plan. For these reasons, we do not consider that this should preclude the Council considering other spatial approaches to determine what is the most appropriate strategy especially as regulation 8(5) of the Town and Country Planning (Local Planning)(England) Regulations 2012 allows for policies of the development plan to be superceded by those of other parts of the development plan.

In summary, we do not consider that there is sufficient evidence to support this policy and so given the need to optimise housing supply and provide sufficient flexibility, as highlighted above, we consider that Policy MLS1 should be deleted.

4. Is the policy sufficiently flexible? Is it clear how this policy will be implemented?

For the reasons set out within our response to question 1 we do not consider that the policy is sufficiently flexible as it seeks to overcomplicate the matter of housing delivery in a way that is inconsistent with national policy.

Notwithstanding our concerns regarding the ability of the Council to be able to demonstrate a 5 year housing land supply in the short term and the soundness of the policy, we do not consider that it is sufficiently clear on how this policy will be implemented to ensure an adequate rolling 5 year housing land supply. Whilst the principles of implementation are easily understandable, the detailed mechanism is far from clear. At present the Housing Monitor is only published on an annual basis, some months after the end of the monitoring year - will supply be monitored on a more regular basis to provide more advanced notice as to when the Council may be unable to demonstrate a 5 year housing supply? How will the monitor interact with the Housing Delivery Test? What certainty can the Council provide on timings if the applicant is unwilling/unable to enter into a PPA and/or the application is refused? These are just some issues that may arise which in our view reiterates the fact that this policy simply serves to overcomplicate the issue.