

CHILTERN DISTRICT COUNCIL'S (CDC) DELIVERY DEVELOPMENT PLAN DOCUMENT (DDPD)

INITIAL APPRAISAL

Introduction

1. This document should be read in conjunction with the note on Matters and Issues. It is intended to give a brief indication of those aspects of the Plan where main modifications are likely to be necessary for soundness reasons, and where it appears to me that further information will be necessary to justify the Plan or explore potential modifications. They are based on my initial consideration of the Submission Delivery Development Plan Document, the evidence base and the submitted representations. This does not represent a final assessment of the Plan's soundness since that must also involve the results of the hearing sessions. Whilst I have noted the Council's recommended modifications of August 2014 (doc SD1.7) these will be considered during the Examination, rather than forming a basis for my initial appraisal.
2. In carrying out the assessment I have noted that the DDPD will be the only DPD to be prepared by the Council with the stated intention to replace the Chiltern District Local Plan 1997. It is also intended to set out detailed policies, land use allocations and proposals to deliver the adopted Core strategy 2011, and that full regard has been had to the National Planning Policy Framework.

The housing requirement

3. The Council will be aware of the risks associated with plans relying on pre-NPPF and RS housing figures (although the judgement in the case of Gladman Developments v SSCLG & Wokingham BC does offer a modicum of comfort). As with the Wokingham Plan, this DDPD has a housing requirement based on the Core Strategy anticipated delivery of housing to 2026 which, in turn, was based on the now revoked SEP figure of 2,900. However, the most recent SHMA is dated July 2008 (CDN053) and this indicated 'little growth prospect', but at the same time indicated a substantial level of need for affordable housing – amounting to some 272 dpa (table S6). The most recent assessment of the housing market is document CDN114 (Assessment of Housing Demand in Chiltern District 2006 – 2026) prepared in support of the Core Strategy in February 2011. It indicated a potential future demand for 5,000 – 7,260 dwellings to 2026. In my judgement, the housing requirement based on the Core Strategy, in turn reflecting the revoked RS figures, is vulnerable, particularly in view of the advice in the national Planning Practice Guidance (PPG), that constraints should not be applied to the overall assessment of need.

4. It is clear that most of Chiltern District is constrained in terms of Green Belt and AONB designations. However, this does not absolve the Council from its duty of meeting the requirement to assess and provide evidence of housing need prior to addressing those considerations. In this respect the evidence base is incomplete.
5. In arriving at my conclusions I note the Council's acceptance of risk associated with plans relying on pre-NPPF and RS numbers, indicating a possible need for an early review (doc SD 1.5, p 198).

Housing land allocations

6. The DDPD indicates (para 6.4) that between 338 and 588 (net) new dwellings will be required to be delivered by 2026. Of these, the Plan identifies specific sites for 256 (Table 2) leaving sites for between 82 and 332 to be found. The main sources for delivering these are set out in Table 3, suggesting 310 dwellings could result from developments within these sources giving a total for the DDPD of 566 dwellings.
7. The majority of the sites in Table 2 are made up of back garden land, which the Council recognises may typically be in multiple-ownership, leading to a degree of uncertainty over whether they will come forward for development. It appears to pin its hope on a past record of such sites being developed. This is not wholly convincing and was flagged by the Core Strategy inspector (ID.14, para 5.9) as a question mark over deliverability.
8. The concern with deliverability is compounded by the other sources of new housing contained in Table 3. These include further amalgamations of back garden land, with similar questions over deliverability; previously protected employment land which has current employment uses; and opportunity sites which have a degree of uncertainty that they will come forward within the plan period. None of these sources appears likely to produce significant numbers of dwellings in the foreseeable future. Further evidence is necessary to provide a convincing case that the Plan is able to deliver enough dwellings to meet the requirement within the Plan period.
9. The Council's latest housing land supply trajectory (doc CDC2, Table 3) indicates a 5 year supply of housing land for 2014 – 2019 significantly above the actual requirement (between 8.41 and 9.93 years against the lower and upper requirement range). However, the totals within the table appear to be based on an assumption that 100% of permissions and other categories will be delivered within the 5 year period. This appears to me an unlikely event. A significant proportion (322 dwellings) appears to be based on 1 care home bed space being the equivalent of 1 dwelling. This appears equally unlikely.

10. The evidence base does not include information on viability so far as the inclusion of affordable housing in developments is concerned. Reliance is placed on the Core Strategy Policy CS8, and the SPD on Affordable Housing. These indicate that Financial Viability Appraisals will be required alongside planning applications, an approach found sound in respect of the Core Strategy. However, I have not found evidence to show whether affordable housing is currently being delivered on the type of site included in either Table 2 or Table 3.

Gypsy, Traveller and travelling showpeople

11. Current Government advice (Planning policy for traveller sites) is clear in requiring LPAs to identify and update annually a five year supply of specific deliverable sites against locally set targets. There is also a clear indication that traveller sites (temporary or permanent) in the Green Belt are inappropriate development. The advice implies that if a LPA wishes to meet a specific identified need for a traveller site, it should do so through the plan making process, where necessary making an exceptional limited alteration to the defined Green Belt boundary. It does not suggest that a proposal for a traveller site – as inappropriate development – can be made within the Green Belt, without an exceptional limited alteration. Concerns over the inevitability of sites being allocated in the Green Belt were expressed by the Core Strategy inspector (ID.14, para 8.26), involving a *'difficult strategic decision which the Core strategy should acknowledge, paving the way for delivery in the Delivery DPD'*.
12. Current proposals to amend certain aspects of the advice are intended to strengthen the protection for sensitive areas and the Green Belt. They also confirm the Government's commitment to increasing the level of authorised provision, and also its commitment to provide fair and equal treatment to both the traveller and settled communities.
13. In the light of the above it appears that the policy in DH5 must be questionable in terms of deliverability and, indeed, legality since it suggests that proposals - which are within the Green Belt and therefore inappropriate development - should be held back, prioritising proposal sites in other Council areas. It proposes a PlanMonitor-Manage approach which is at variance with its approach to the release of land for development for settled communities.
14. **These three identified concerns do raise the more serious issues of soundness which must be addressed in order for the hearings stage to proceed as planned.**
15. There are other issues – not addressed in this initial appraisal - which are capable of being addressed and resolved by means of

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appropriate modifications through the examination process, and particularly during the hearings phase.

Patrick Whitehead (Inspector)
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