Hearing Statement

Larkfleet Limited
South Kesteven Site Allocation and Policies DPD
October 2012
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1 Introduction

1.1 This Hearing Statement has been prepared by David Bainbridge MRTPI, Partner in the Planning Division of Bidwells on behalf of Larkfleet Limited.

1.2 This Statement has been submitted to the Examination into the South Kesteven Site Allocation and Policies Development Plan Document (DPD). In particular this Statement responds directly to the Issues raised by the Planning Inspector in advance of the opening of the Hearing Sessions on 6 November 2012.

1.3 It is acknowledged that there is no need for participants in the Examination to prepare hearing statements where relevant points are already covered in the original representations.

1.4 Bidwells on behalf of Larkfleet Limited have participated fully in the preparation of the DPD as listed below however the issues raised by the Planning Inspector give rise to the requirement for comment as contained in this Statement.

1.5 Bidwells on behalf of Larkfleet Limited have participated in the following stages of preparation of the DPD.
   - Responses submitted in respect of Proposed Main Modifications Consultation, July 2012.
   - Responses submitted in respect of Submission Publication Stage, November 2011.
   - Responses submitted in respect of Additional Sites Consultation, October 2010.

1.6 This Statement responds to the relevant Issues laid down by the Planning Inspector in respect of Session 2: General Housing Provision Issues. Where there is no response to an Issue this is because it is not considered relevant for example where the Planning Inspector has posed questions primarily intended for the Council to respond to.

1.7 This Statement does not exceed the 3,000 word limit.
Issue: Housing requirement

2 Question: Change SAPMM04 amends housing requirement in Objective 1.

2.1 Response: SAPMM04 amends the housing requirement from 8,250 new homes to 5,940 new homes. This objective is one of a number what the Council describes as sub-objectives which have been identified to guide preparation of the DPD. The figure of 5,940 new homes is not based on a simple addition of housing requirements, excluding Grantham, for the District as set out in Policy H1 of the Core Strategy. Neither is the figure based on a simple addition of residual housing, excluding Grantham, for the District as set out within the DPD. The Council should produce and circulate for comment a written explanation of the figures used.

3 Question: Does the text of the Plan accurately describe commitments and residual requirements?

3.1 Response: The text does not accurately describe commitments and residual requirements for housing in the District, excluding Grantham. There is confusion over the housing requirement under SAPMM04 (Objective 1), SAPMM021 (The Deepings) and SAPMM026 (The Deepings).

4 Question: Can the Council demonstrate a 5 year supply (+5/20%) of housing land?

4.1 Response: It is considered that the Council is not able to demonstrate a 5 year land supply plus 5% buffer. The position published by the Council includes overly optimistic forecasts on delivery of housing from strategic land at Grantham which is not a robust position to take. It is accepted that Policy H1 in the Core Strategy identifies minimum levels of housing provision per settlement i.e. Grantham, Stamford, Bourne and Deepings and at the LSC and rural areas. But also this policy includes a minimum level of housing for the District. It follows that if there is a shortage in housing land supply because of lack of delivery at Grantham then the shortage of housing land applies to the District as a whole.

Issue: Phasing

5 Question: Is the Council’s general approach to phasing consistent? MM70, MM71

5.1 Response: The general approach to phasing is not consistent with the Core Strategy or else within the DPD.
6  Question: Is phasing placing arbitrary constraints on development? 198, 227, 231, 251 (STM3)

6.1  Response: The phasing proposed in the DPD will place arbitrary constraints on development. The phasing is not supported by any policy in the Core Strategy. Policy H1 in the Core Strategy does not phasing development over 5 year periods but rather it states a residual balance to be found during 2008 to 2026 and an annual build rate for the remaining plan period.

6.2  It is accepted that the supporting text to Policy H1, at paragraphs 5.1.6 and 5.1.7, make reference to maintaining a continuous and deliverable five year land supply of housing and for this to be monitored and where necessary site allocations amended but there is no description as to how this might be achieved.

6.3  The Framework does not require the DPD to allocate sites in 5 year periods. The provisions under section 47 of the Framework can be achieved through identification of sites for housing development in the District and what the forecasted delivery will be from these sites. As there a number of major and strategic site allocations identified in the DPD it is the case that delivery of the homes will take time depending on a number of factors including obtaining an implementable planning permission, obtaining land control, funding for development, addressing any infrastructure constraints and marker conditions. Residential developers will avoid the expense of building houses where there are concerns about any imbalance between supply and demand.

6.4  Section 157 of the Framework states:

"Crucially, Local Plans should: … allocate sites to promote development and flexible use of land, bringing forward new land where necessary, and provide detail on form, scale, access and quantum of development where appropriate …"

6.5  The DPD complies with this requirement but crucially this requirement does not include phasing of residential development.

6.6  In respect of sites at The Deepings, there is no justification for the phasing as contained in Policy DE1: Housing Allocations in The Deepings and Policy DE3: Mixed Use Urban Extension in Market Deeping. Beyond the issue of maintaining a 5 year land supply, the only explanation for the phasing is contained in paragraph 3.3.2.2. which states:

"The phasing of sites has been influenced by evidence relating to infrastructure constraints, particularly wastewater infrastructure, which will require improvement to accommodate new housing."
6.7 There is no description of what other ‘infrastructure constraints’ there are at The Deepings. I consider there are no other physical constraints which are not typical of such housing sites in a large village location. Therefore the only issue is waste water treatment. The DPD was submitted for examination at the end of January 2012 which was only a matter of days after the deadline set by the Council for comments in respect of the Detailed Water Cycle Study Final Report and Schedule of Proposed Changes to the DPD. This process was not robust as there was in practice no opportunity for any response by the Council or for changes to be made.

6.8 Written representations submitted by Bidwells liaising with Consultant Development Engineers M-EC have demonstrated that the issue of waste water treatment at The Deepings Waste Water Treatment Works does not lead to the conclusion arrived at by the Council in phasing sites at The Deepings. In particular there is no known finite capacity at the WwTW. It would appear the phasing is in part at least, possibly entirely, based on the Asset Management Planning Cycle by Anglian Water Services. However, AWS are able to design, cost and implement improvement works in-between the 5-year asset management programme. A meeting between AWS, the Environment Agency, Bidwells and M-EC is scheduled for 23 October. From initial discussions it is understood that there is headroom for residential development at The Deepings which might not require phasing as proposed by the Council. Bidwells and M-EC will update the position at the hearing session 2 and no doubt AWS and/or EA will provide a further update.

6.9 The final pint to be made in respect of phasing at The Deepings under Policy DE1 is that there is absolutely no justification for sites DE1a and DE1b to deliver a total of 100 dwellings prior to the year 2026 and there is no certainty over deliverability at DE1a. This site is proposed to be accessed through an active development sites which is in separate ownership, there is no direct access from the public highway.

**Issue: Delivery**

7 **Question: Should the Plan contain a single source of information showing provision in all settlements?**

7.1 **Response:** In order to be able to understand provision to date and monitor delivery going forward it is necessary to show housing provision in all settlements i.e. Bourne, The Deepings, Stamford and the LSCs. This issue is related to earlier issues in respect of housing provision.
Site Selection Process

8  Question: How did the Site Selection process operate? MM59, MM60, MM64, MM65

8.1  Response: Essentially this is a question for the Council but notwithstanding this written objections have been submitted by Bidwells on behalf of Larkfleet Limited because the site selection process for the LSCs is fundamentally flawed.

8.2  Site reference BAST02 i.e. Land off Chesham Drive, Baston was excluded in an early sift of sites because of concerns about flood risk, drainage, highways and visual impact. It has been demonstrated through the recently refused planning application reference: S12/1755/MJRF that this site is deliverable for residential development. The assessment work and evidence base behind the site selection process was fundamentally a desk-top exercise which is out of date and has been demonstrated to be inaccurate in respect of site BAST02.

9  Question: Water and sewerage – have the effects of water and drainage provision been properly taken into account in the Site Selection Process? 254, 255, 259, MM55, MM74, MM75

9.1  Response: Water and sewerage have not been properly taken into account because it has been demonstrated that BAST02 is deliverable with sufficient water supply and drainage contrary to the out of date desk-top findings by the Council over 2 years ago and the situation in respect of Policy DE1 is evolving.

10  Question: Have the changes made by the Council satisfied parties that drainage issues have been properly addressed? 108, 109, 81, 83, 84

10.1  Response: No the Council has not accepted BAST02 can be connected to the waste water infrastructure despite AWS's formal acceptance of this. Also, the Council must remain flexible in respect of capacity and any phasing of residential development at The Deepings in particular DE3 should not be phased until after 2016 because this is not based on any assessment of evidence by AWS or EA.
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