

Examination of the Ipswich Borough Council Local Plan Review 2018-2036 MATTERS, ISSUES AND QUESTIONS FOR THE EXAMINATION (MIQs)

Matter 6: Site Allocations

Issue: Whether the proposed site allocations in the SAP are justified taking into account the reasonable alternatives, positively prepared in meeting the Borough's development needs, effective in terms of deliverability over the Plan period and consistent with national policy in enabling sustainable development?

Prepared for Skinner Salter Partnership

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Introduction

This Matter 6 Hearing Position Statement supports Representation 26181 submitted with reports for noise and flood risk mitigation, under Regulation 20 on 10/02/2020 that the Plan is not sound effective or justified.

The Plan can be modified for soundness to include this site and sites of its type as set out below

Rep 26181 sought to amend Policy SP2 of the Site Allocations DPD, to secure the allocation of 0.64ha of land at Bourne Garden Centre, 578 Wherstead Road (IP034) for medium dense flatted residential development.

Document A11 Consultation Statement June 1, 2020 summarises Representation 26181 and the Council's response P69

Main Issue Representations Main issue 1: Site IP034 (Wherstead Road) should be included as a residential allocation. **Flooding assessments and consultation with the appropriate bodies has been carried out with no fundamental objections.**

Salter and Skinner Partnership (Planning Direct) (Rep ID: 26181)

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"How these comments have been taken into account in the Final Draft Local Plan:

The Bourne End Nurseries site is being assessed in terms of flood safety as part of the updated Strategic Flood Risk Assessment."

The updated AECOM FRA of October 2020 redefines flood risk suitability to mean it is acceptable for residents to remain on site if safe shelter can be provided. Many proposed suitable allocation sites site in Ipswich are in Flood Zone 2 and 3 and

cannot guarantee access for evacuation by emergency services through out modelled peak flooding events

Site IP 034 is now suitable for development in these flood risk terms as shown by detailed flood risk evidence previously supplied

General

Matter 6: Site Allocations Issue: Whether the proposed site allocations in the SAP are justified taking into account the reasonable alternatives, positively prepared in meeting the Borough's development needs, effective in terms of deliverability over the Plan period and consistent with national policy in enabling sustainable development?

They are not justified or positively prepared in meeting the Borough's development needs because

Point 1

Strategic policies do not as a minimum meet objectively assessed need contra NPPF Para 11b. This states:

“Strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area”

Strategic Policies for housing ie “sites” are specifically written and tested for viability as per the WPVA. Non specific policies – also “sites” - are tested as a typology and non specifically.

Point 2

Application of SP2 restricts overall scale type and distribution of development in the plan area and there is no strong reason “justification” for doing so.

Many sites are gathered into Policy SP2 as non strategic policy sites. Each site SHELAA sheets refers to the typology in the achievability section of the site specific appraisal sheet.

This states reasons for achievability one of which is viability. That assessment is incorrect because the evidence the WPVA - supporting the viability is flawed. This point has been made by Mersea Homes.

Point 3

The site assessment process did not follow “realistic assumptions” in assessing site viability contra NPPG requirements.

At stage 2 the process is flawed by the WPVA which does not offer realistic assumptions. It favours larger sites for policy compliance viability and disfavours smaller sites outside central Ipswich for dense flatted development.

For larger sites this means they may in fact not be viable to bear the policy level of obligation assigned to them and landowners have made this point.

For smaller denser flatted site types it means the site selection process did not form realistic assumptions about viability for them outside central Ipswich.

This contradicts the statement of intent in the Housing Topic Paper June 2020 para 30/ 31:

The five-year land supply would be measured against the specific stepped requirements for the particular five-year period (set out through policy CS7).

*“There is justification for adopting this approach in Ipswich, in order to reduce the annual requirement for **the years 2018 to 2024 when the supply will be dependent on brownfield sites delivering higher density development**. The requirement would be increased from 2024 to 2036 when it is expected that completions at the Ipswich Garden Suburb will represent a significant proportion of the annual housing requirement”*

Thus increasing the future development supply short term development will be “restricted” to a small area of land IPOne. That goes against NPPF as stated.

Specifically this discriminates against brownfield sites outside inner Ipswich IPOne. The justification for this is that such sites are not viable as evidenced by the WPVA, unless they are developed for housing – as the site assessment form for Site Ip 034 states. SHELAA p 225

“Site achievable for a housing-led scheme taking into account the Whole Plan Viability Assessment findings.”

The SHELAA January 2020 states

1.1 National Planning Policy and Guidance requires that local authorities prepare an assessment to establish the realistic assumptions about the availability, suitability and likely economic viability of land to meet the identified full objectively assessed needs.

Achievability

2.38 A site is considered achievable when, in line with the National Planning Practice Guidance, there is a reasonable prospect that the site can be developed at a particular point in time. **There should also be a judgement about the viability of the site** which will be influenced by, market attractiveness, its location in respect of property markets and any known likely abnormal costs associated with the site.

The judgement of sites allocated under SP2 is filled with similar statements relating to the WPVA and restricting sites to particular sorts of mixed development of housing and flats.

Brownfield sites for flats only are a reasonable alternative to some of the less deliverable sites or possibly even an addition to proposed inner urban brownfield sites..

IP034 is a brownfield site of this type. The SHELAA using the councils methodology in the WPVA, assessed the site as viable for 22 homes, January SHELAA Final p223

“ Site achievable for a housing-led scheme taking into account the Whole Plan Viability Assessment findings.”

We say it is suitable due to the revised definition of flood risk and safety October 2020 noted above.

It is not achievable for flats as promoted because one finding of the WPVA was that flats for sites of this type are not viable outside the inner urban zone.

The site self evidently is viable for this purpose as the landowner wishes to promote the site for flats.

Questions General

77. Has the viability of allocated sites been adequately tested and assessed in order to ensure that infrastructure requirements and affordable housing provision can be made at the levels needed to serve the development proposed?

No. The purpose of the viability assessment is to test for land sufficiency to meet the OAN. The IGS cannot meet those needs, especially for affordable housing, as stated by Mersea Homes. The WPVA states it can. It is incorrect and must be revised before a proper judgement can be made

All sites other than strategic sites are tested as types of site and therefore standard assumptions are common to many schemes. There is no distinction for abnormal costs.

The WPVA assumptions used are not “realistic” as commonly understood. Finance costs are too low and burdens excessive. The WPVA projection of viability for IPS means there will be a deficit to policy on affordable housing at the least on strategic sites based on this flaw in the viability appraisal.

The role of the Strategic Housing & Economic Land Availability Assessment (SHELAA) is to test whether (and where) there is sufficient land available to meet the full objectively assessed needs for housing and economic development within Ipswich Borough up to 2036.

National Planning Policy and Guidance requires that local authorities prepare an assessment to establish the realistic assumptions about the availability, suitability and likely economic viability of land to meet the identified full objectively assessed needs.

1.2 This stage is an important evidence gathering exercise in the preparation of the new Ipswich Borough Local Plan. This work is an initial assessment of the development capacity of the Borough and is not an allocations document, because allocations will be made through the formal processes of producing the Local Plan.

P242 IBC SHELAA Achievability

83. What evidence is there to demonstrate that the development of the IGS would be viable and that the target of 31% affordable housing would be deliverable, given that planning permissions for the first two phases provide for 5% and 4% affordable housing only?

The only evidence is the WPVA and this is disputed by others in their submissions. We support their conclusions.

84. What evidence is there to support the Council's assumptions in respect of the anticipated delivery rate for the IGS? Is this realistic?

The only evidence is the outline planning for 2 of the three elements. The third is in dispute over obligations based on flawed evidence – Mersea Homes.

However, outline planning permissions have only just been granted Jan 2020. Extensive infrastructure is needed to facilitate the development. If the IGS stalls then the Council will fail to meet anything approaching its housing needs.

The delivery of this multi-ownership site has been delayed for many years. It was first allocated in the draft Local Plan in 2001 and finally allocated in the 2012 Local Plan. The current outline planning application ref: 14/00638 has only just been granted after about 6 years. The permission allows the development to commence within 7 years. That means the site might not start to deliver until year 8 at the earliest, 2028, which is year 10 at worst.

Since the grant of outline permission in January 2020 may mean a further 2 years from then to secure a detailed planning. After this the need is to mobilise the development and then a further year before homes start completing. The Local Plan timescale seems very optimistic.

The third phase is still being argued about in terms of its viability to bear obligations and Mersea Homes are saying the evidence to support the viability is flawed

Humber Doucy Lane (Policy ISPA4.1)

91. Is the allocation of this site on green field land on the edge of the settlement justified? Did the SA consider reasonable alternatives to this allocation, such as more homes in the town centre or on other sites within the urban area?

No it is not justified. The type of site that can deliver smaller buffer schemes within urban areas is excluded from the SA. That is because the viability is flawed. IBC has acknowledged there is a flaw in correspondence and the effect of the flaw is to impact negatively on site of type IP034. This is entirely unjustified.

Further there is no scope to work in other Council areas. Babergh Mid Suffolk DC Duty to Co Operate makes clear they have no plans to take any of IBC obligations nor work with them. This is the sole cross borough initiative.

The SA did not consider reasonable alternatives because of the flaw in the WPVA that excludes the site topology that could support smaller sited delivering denser development

92. What evidence is there to demonstrate that the site will be delivered in full within the Plan period, given that it relies on the delivery of infrastructure within the Ipswich Garden Suburb site? What is the justification for this phasing? Should the Plan include a trigger point following which development on this site should begin to ensure its delivery within the Plan period?

The Humber Doucy Lane Lane site (ISPA4.1- 500 dwellings) is part of a cross-boundary site and is actually four separate disjointed sites probably in multi-ownership. It is proposed that it be masterplanned with the adjacent East Suffolk draft allocation and timed to be after the Ipswich Garden Suburb. Given the Borough's poor delivery record on the former northern fringe, and its dependence on the IGS infrastructure, the site cannot be said to be deliverable in any meaningful way during the Plan period.

93. How will the Council work with neighbouring authorities to ensure that this site is delivered?

The only cross boundary strategic priority site identified in the Plan is in Humber Doucy Lane. The council are adopting a developer driven approach, a joint venture, to meet respective need rather than to pool the needs.

This emphasises the inherent vulnerability of the current proposals if there is no wriggle room to provide a buffer of smaller site opportunities. This is not effective for reasons set out elsewhere in relation to the flawed conclusions drawn from the WPVA.

The Plan is too prescriptive because it is predicated on flawed evidence.

106. Should the allocation of land at Humber Doucy Lane in the CSP also be included within Policy SP2 of the SAP?

NO as it is a strategic site and the Policy SP2 contains non strategic sites within a strategically defined zone or area IPOne

Housing Allocations (Policies SP2 and SP3) Land allocated for Housing (Policy SP2)

108. Was the process for the selection of the site allocations robust? Was an appropriate range and selection of sites assessed and were reasonable alternatives considered? Were appropriate criteria taken into account in deciding which sites to select? Was the assessment against those criteria robust?

No. SHELAA January 2020 p 13 states

“ 2.42 In order for a proposed site to be included in the final SHELAA capacity, the site assessment will need to score either an ‘amber’ or ‘green’ rating against all of the suitability criteria, as well as meeting the availability and achievability tests. For sites, which are assessed as not suitable, these will be published in a summary table together with the reason for being discounted.”

Site IP047 scores red on flood risk Doc A4 p 73 yet is allocated residential Doc A2 p41

Site IP098 scores red on flood risk Doc A4 p 80 yet is allocated residential Doc A2 p203

Site IP083 Wherstead Road scores red on flood risk A4p 83 yet is allocated residential Doc A2 p192

BUT site IP034 scores red on flood risk Doc A4 p225 but is omitted in spite of evidence provided to show it is partially in flood zones 1 and 2 as defined by the Environment Agency flood risk map

That is not a robust assessment. The SFRA identifies sites - with up to 100% of the sites in Flood Zone 3 - with access/egress concerns, as potentially being viable for consideration of housing development. It states these should be considered for detailed flood risk evaluation. The SFRA acknowledges that all of these sites in Flood Zones 2 and 3 may have to be brought forward to meet the housing demand.

109. Are the proposed housing allocations identified in Policy SP2 and Appendix 3 of the SAP, justified as the most appropriate sites when considered against the reasonable alternatives and would they be consistent with national policy, with particular regard to the following:

c) **Their viability having regard to the provision of any infrastructure, affordable housing and other policy requirements?** NB This question should be answered for each housing allocation listed in Table 1.

This question cannot be answered for every allocation because The Council did not test every site individually. The WPVA explains that a typology is used for most sites and only larger sites are individually tested. The SHELAA site sheets show constant reference to WPVA typology not to site specific appraisals see bold highlight below

Page ii) of WPVA

“Approach to Study ES 2

*As best practice recommends **that it is not appropriate to test every site planned, a typology approach has been undertaken.** These typologies are based on the planned development identified in the Council’s Final Draft Local Plan, including greenfield and brownfield development and residential and commercial uses. Development appraisals have been undertaken to test the viability of proposed allocations against the Council’s proposed policies. A bespoke viability model has been created in Microsoft Excel. The model calculates the Residual Land Value (RLV) for each scenario with results displayed in a series of tables. Figure 1-1 illustrates the principles of a RLV appraisal”*

110. Is the policy approach proposed in the Plan which includes Policy SP2, along with Table 1 and Site Sheets in Appendix 3, justified and effective?

NO. The current unaddressed and acknowledged flaw in the WPVA could result in many hostile planning applications leading to endless disputes and uncertainty as the planner seeks to implement the council’s flawed site achievability findings

113. Should the development requirements/constraints for each allocated site, set out in the Site Sheets in Appendix 3, including affordable housing provision, be set out clearly in the policy?

Yes.. The SHELAA site description for IP034 p225 states **“the site is achievable for a housing led scheme taking into account the Whole Plan Viability Assessment Findings”**

Following this logic all allocated sites should be “achievable...taking into account the WPVA findings”.

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A sound plan will use the evidence to support its position in calling for policy compliance. Not to do this shows a lack of confidence in the evidential conclusions which is not effective plan making as it is challengeable at application stage by the site developer if not quantified, see answer to q 110 above

115. Should paragraph 4.7 refer to the 496 dwellings allocated at Humber Doucy Lane in the CS as well as the 3,500 dwellings at IGS?

Yes to be consistent it should.