

# LIGHTWOOD STRATEGIC: MATTER 8 SUPPLEMENTARY HEARING STATEMENT

## **NORTH ESSEX AUTHORITIES**

### **Shared Strategic (Section 1) Plan**

#### **FURTHER HEARING SESSIONS**

**Matter 8 (Sustainability Appraisal). Thursday 23<sup>rd</sup> January 2020**

#### **Issues**

***Does the Additional Sustainability Appraisal [ASA] adequately address the shortcomings in the submitted SA that were identified in my post-hearing letter to the NEAs of 8 June 2018 [IED011]?***

***Does the ASA justify the selection of the preferred spatial strategy option for the Section 1 Plan?***

**Q1 (a) Is there adequate justification for the threshold of approximately 2,000 dwellings (ASA Main Report para 2.52) which was applied when selecting the strategic sites to be appraised at Stage 1 of the ASA? (b) If not, what threshold should have been applied, and why?**

Our key concern is whether the ASA is adequate in respect of the comparability of the assessment between Stage 2 scenarios that included sites of over 2,000 and 5,000 homes versus Stage 2 scenarios that could have included sites of fewer. Consultation on the former is aided by site specific assessment, but consultation on the latter is not.

We had expected that the ASA would have been much more open and transparent about the sustainability effects of omission sites locations of less than 2,000 homes. Even if such sites would not have found form in the Section 1 Plan (on account of size rather than suitability) , we do not see how it is possible for the ASA, as constructed, to give the NEA's the information that they need to demonstrate that additional supply should ultimately only come from sites of 2,000+ (or rather 5,000+).

We understand that it would have been too cumbersome in Stage 2 to have developed groupings of locations if smaller sites had also been included. The key point is that Stage 2 options that included proportionate growth (hierarchical approach) are devoid of any background information concerning the range site-specific options that could contribute to that approach. This does not aid effective assessment or consultation. We consider that all omission site should have been presented in a further Stage 1 appendix to the ASA. This should have been presented in two columns of (100-450/500 and 451/501-1,999) and have been mapped. This would have enabled effective consultation on Stage 2 scenarios that included proportionate growth.

It does not aid objectivity and the pursuit of the most appropriate strategy to have a site threshold of 2,000 dwellings. Having such a high threshold can only hinder the pursuance of sound planning and a full and transparent analysis of the alternative spatial strategy options.

Ultimately the NEA's are not engaged in an exercise to finding the most appropriate strategy locations of 2000+ or 5000+. The task is simply to devise the most appropriate spatial strategy for each administrative area, and this may not require any very large sites (whether planning only for the requirement of for a level of flexibility). Indeed, judging by the latest housing land supply information (q5) to explicitly focus on very large sites seems misplaced given that none were deemed suitable for meeting the housing requirement itself. Why focus attention on a completely different typology when looking to oversupply.

Given that GBBGC will now be earmarked for 1,350 homes during the plan period, then at the very least locations of that scale should be assessed in Stage 1 (main body of the document) and paired up in Stage 2.

**Q2) Is the Stage 1 appraisal of alternative strategic sites based on sound and adequate evidence?**

When establishing a key part of the evidence base (that is being used to demonstrate that a new settlement of 21,000 homes is part 'the answer', and when that 'answer' requires a taxpayer grant of at least £229m, then the adequacy 'threshold' for that SA can be no higher.

We find the answer to paragraph 8.2.16 of the NEA's statement completely at odds with what is required for a plan of this nature.

**Q3) Has the Stage 1 appraisal of alternative strategic sites been carried out with appropriate objectivity and impartiality?**

Row 1 of the table beneath paragraph 8.3.11 of the NEAs statement is a response to our comment about SUE1 (Flich Way/ Pods Brook SoS appeal site) compared to the GCs in respect of SA7. The response refers to an RTS system, being available to the GCs for longer journeys. The problem with that answer is that Stage 1 is designed to assume 'no' RTS. Further the response states that an RTS would not be available to SUE1. However, Vision to Plan (Figure 3-133) suggests otherwise. Thus, if this is LUC's answer then it shows that the ASA fails the test of Q3, at least in respect of the answer to the Lightwood point.

**Q5) In seeking to meet the residual housing need within the Plan period to 2033 (ASA Appendix 6, Principle 1), should the spatial strategy alternatives for the Stage 2 appraisal seek to provide land for:**

- a) 7,500 dwellings; or**
- b) 1,720 or 2,000 dwellings (the residual requirement identified in Appendix 6, Table 1); or**
- c) another figure?**

The way that this question is phrased rightly focuses on the way that the Principle 1 is communicated in Appendix 6 of the ASA, and then how it actually found form in the ASA itself.

We had no issue with the ASA testing the sustainability effects of spatial strategy alternatives on the basis that they achieved 7,500 dwellings, but that it not all that the ASA should have done. At the time of the technical consultation it should have also tested **1,720** dwellings (the residual requirement). In this way a 'baseline' assessment of sustainability effects could have been

presented, against which further increases in supply (degrees of flexibility) could have been evaluated. Thus, the differences could have been evaluated.

In addition, and as can be deduced from paragraph 8.5.3 of the NEA's Matter 8 statement the ASA should have further tested **4,500** homes (1,720 homes + 2,794 homes). That figure would have represented the level of over-supply (6%) that the NEA's determined was sound when the plan was submitted for examination. An evaluation of those figures (in bold) and the alternative spatial means of achieving them would have presented a reasonable spread of alternatives.

As far as the published ASA is concerned<sup>1</sup> the introduction of the three proposed garden communities' results in an over-supply of 5,780 homes (shortfall of 1,720 plus 7,500). In that context the ASA concluded what it concluded<sup>2</sup>. We don't see an evaluation/conclusion against 1,720 or 4,500 homes. We therefore don't see how the ASA represents an objective assessment that can be used by plan-makers to recommend policy to Councillors, and by extension how Councillors can use it to make policy choices.

Matters have moved on in respect of the housing land supply position.

Table 1b (and para 8.5.9) in the NEAs Matter 8 hearing statement updates the housing land supply position for the plan period. Putting aside the content of our Matter 3 statement and the outcome of that hearing session, Table 1b presents a state of equilibrium across the plan area. There is now a forecast over-supply of 377 homes. We take note of the supply figures for each LPA, but these are important to a secondary phase of analysis, as a focus on the overall figure for the plan area does not mask extremes. When comparing Table 1b to the content of Principle 1 of Appendix 6 it can be seen there has been a 2,100 unit increase in plan area supply since the publication of the ASA.

The ASA currently presents spatial strategy alternatives considered capable of delivering up to 7,500 homes.

If the ASA was to be updated on the basis of the Table 1b of the NEAs Matter 8 Statement, then the equivalent over-supply figure to 5,780 homes would now be 7,877 homes (7,500 + 377). There are no ASA conclusions based on this additional level over-supply. Policy making itself has moved the situation on, and the figure of 7,500 homes is now 5,910 homes. Thus, the ASA would be testing over supply strategies of 6,287 homes (5,910 + 377). There are no ASA conclusions based on this additional level over-supply. Of course, ultimately, although delivery expectations for GC are being reduced, the Plan does give away the principle of many thousands at each location.

The proposed oversupply is 'unencumbered' in the sense that there are no 'release' triggers for the garden communities in the Plan that relate to housing delivery performance. According to the Plan, the homes will be permitted and built even if each LPA's housing delivery performance is strong. Of course, if performance was to be weaker than forecast, then garden communities, by their very nature, render themselves the least responsive typology of land supply. Thus, garden communities are not well suited to playing a contingency role, where that role is predicated on monitoring and review. However, such predication is not proposed in the Section 1 Plan. Thus, garden communities

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<sup>1</sup> The policy choice of 5,910 homes seemingly comes post-ASA as a result of NEA policy making (as the ASA does not refer to this figure) albeit the time-line suggest that LUC knew of the 6,350 figure and the 1,350 rather than 2,500 figure for CBBGC) before their work was concluded, yet the ASA does not refer to this.

<sup>2</sup> And we dispute that there is a level playing field

will be allowed to 'let rip' whether they are needed vis-à-vis the achievement Principle 1 of Appendix 6 or not.

Against the updated housing land supply figures, and as the garden communities are being proposed in an unencumbered 'let -rip' fashion, the positive effects 'score' that is ascribed to the housing sustainability objective needs careful consideration. Can there be significant positive effects if the housing is not needed? On the flip-side, whilst the ASA generally already ascribes significant negative sustainability effects to environmental objectives, one has to consider, when using the ASA to inform policy making, whether those significant negative effects can reasonably be said to be outweighed by the 'diluted' positive effects. We say that the environmental harm that a further 5,910 homes would cause (that are not needed) cannot outweigh the benefits.

Whilst it is unproblematic for the ASA to evaluate the significant sustainability effects of an over-supply of 6,287, it can't only do this.

**8) Is there justification for basing the proportionate (hierarchy-based) growth spatial strategy options (West 2 and East 2) on different settlement hierarchies from those identified in the NEAs' Section 2 Plans?**

A unified hierarchy represents methodological manipulation as do the singular percentages ascribed to each unified tier. These squeeze the headroom for further growth within that Tier. Is the NEA's position that other shares are not reasonable alternatives? The ASA should be based on the hierarchies of each LPA, as it is these which informed Development Plan Review as a whole.