

Spatial Policy Team
Commercial Services
Colchester Borough Council
Colchester
Essex

(Representations submitted by email to planning.policy@colchester.gov.uk)

31st March 2014

Re: Local Plan Focused Review – Post-Hearing Modifications Consultation

Introduction

Thank you for the opportunity to comment on the above consultation. Gladman previously provided representations in response to the Local Plan Focused Review Pre Submission and Modifications consultations in September and December 2013. Subject to the Inspector's comments these representations still stand and should be viewed alongside this response.

Plan Review

Whilst acknowledging the authority's planned Stage 2 review work, Gladman have taken the opportunity to comment on the Focused Review – Post-Hearing Modifications Consultation to remind the Council of the fundamental need to undertake a more comprehensive review of the Council's Local Plan, in particular the quantum of housing planned in the borough, to meet the requirements of the National Planning Policy Framework (The Framework). This is particularly significant when recent evidence points to the need to provide a significantly higher level of homes in the borough, to meet Colchester's full, objectively assessed housing needs.

The Colchester Core Strategy was adopted in December 2008 and sets out a housing requirement of 830 dpa, derived from the housing requirements and strategy set out in the now revoked and outdated East of England Regional Spatial Strategy (EERSS). The abolition of the EERSS and the introduction of the Framework has fundamentally changed the policy basis on which Colchester's housing requirements should now be founded.

The Framework sets out that to significantly boost the supply of housing local planning authorities should ensure their Local Plans meet the full, objectively assessed needs for market and affordable housing in the housing market area. To have a clear understanding of their full housing needs local planning authorities should prepare a Strategic Housing Market Assessment (SHMA), working with neighbouring authorities where housing market areas cross administrative boundaries. The Framework sets out a clear and systematic process that local planning authorities must follow to

assess and meet their housing needs, as set out in §47, §159, §152, and §14. In accordance with §158 of the Framework Local Plans should be based on adequate, up-to-date and relevant evidence. The process of identifying and meeting objectively assessed housing needs should also take full account of the Duty-to-Cooperate.

Taking the requirements of the Framework and the status of the EERSS into account Gladman submit that the housing targets set out in the Colchester Core Strategy must now be reviewed to ensure they are consistent with the requirements of the Framework and up-to-date evidence of housing need in the area. The first stage of this process should be for the Council to undertake an objective assessment of its housing needs, taking the requirements of the Framework and the recently published National Planning Practice Guidance (NPPG) on the Assessment of Housing and Economic Development Needs into account, ensuring that it meets these needs in full.

The need for the borough's housing requirements to be based on an objective assessment of the authorities housing needs is further emphasised by the recent Hunston Properties High Court and Court of Appeal Judgements^{1,2}, which make clear that the revoked East of England Regional Spatial Strategy no longer provides a basis for deriving the full, objectively assessed housing needs for the borough.

In light of our concerns Gladman have sought to understand what a housing requirement derived from an objective assessment of Colchester's housing needs would be. In order to do this Gladman have referred to the housing requirements for the borough suggested by Phase 3 of the Greater Essex Demographic Forecasts Project, published in July 2012, and the 2008-based and 2011-interim household projections, the starting point of an objective assessment. The Greater Essex Demographic Forecasts Project points to a housing requirement of between 1,105 and 1,238 dpa in the borough, with the 2008-based household projections pointing to the need deliver 1,550 dpa. Whilst Gladman consider that the 2011-interim household projections should be used with some caution, we note that these too identify a requirement for 1,219 dpa. We further note that the Council's now considerably dated 2008 SHMA identifies a housing need for 1,425 dpa.

Whilst recognising that the outputs from the Greater Essex Demographic Forecasts and household projections will need further adjustment to take account of the full range of drivers of housing need and demand set out in the Framework and the Assessment of Housing and Economic Development Needs NPPG, the outputs from these sources clearly point to the need to plan for a significantly higher level of homes and the release of additional housing land than currently identified by the Council. The housing requirements set out in the Council's adopted Core Strategy have not been founded on an objective assessment of the borough's housing needs, whilst the amount of weight to be given to them should now be viewed in the context of §215 of the Framework.

The Council must ensure that it can demonstrate a sufficient supply of deliverable and developable housing sites to meet its housing requirements, and in particular a continuous five-year housing land supply. It must be able to identify sufficient sites, in sustainable locations, to ensure housing can come forward as expected.

Conclusions

¹ Hunston Properties Limited v. (1) Secretary of State for Communities and Local Government and (2) St Albans City and District Council [2013] EWHC 2678 (Admin)

² City and District Council of St Albans v. (1) The Queen (on the application of) Hunston Properties Limited and (2) Secretary of State for Communities and Local Government [2013] EWCA Civ 1610

Gladman have taken the opportunity to comment on the Local Plan Focused Review – Post-Hearing Modifications consultation to remind the Council of the fundamental need to undertake a more comprehensive review of the Development Plan for the borough, in particular the quantum of housing sought in the authority, to meet the requirements of the National Planning Policy Framework (The Framework). This is particularly significant when recent evidence points to the need to provide a significantly higher level of homes in the district, to meet Colchester’s full, objectively assessed housing needs.

The Council must ensure that it can demonstrate a sufficient supply of deliverable and developable housing sites, in sustainable locations, to meet its housing requirements, and in particular a continuous five-year housing land supply. It must ensure that it can identify sufficient sites that enable housing to come forward as expected.

I hope you have found these representations constructive, if you require any further information or wish to meet with one of the Gladman team then please do not hesitate to contact me.

Yours faithfully

Peter Dutton
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Gladman Developments