



HFDAG - Hanwell Fields Development Action Group

The Cherwell District Council numbers - again!

The unresolved numbers issue, stop the rot

HFDAG members held a meeting with Cherwell District Council on Saturday (6th October 2012). When presenting our opinions of the proposed new Local Plan 2012 which is currently out for consultation, several fundamental issues were shown to be wrong about the numbers, and site choices, in the CDC Local Plan 2012. Let us review the facts again:

1. The CDC has a single target to build 13400 houses in Cherwell by 2026, now extended out to a 25 year plan for 16750 houses by 2031. This is a number originally mandated by the Regional Spatial Strategy and South East Plan of the previous government.
2. CDC are proposing a fixed 25 year plan out to the year 2031. Whereas the new National Planning Policy Framework (NPPF) requires an evidence based market demand forecast to decide five, 6-11 & 11-15 year plans, on an annual rolling basis. With no fixed long term target required.
3. The NPPF also says that when calculating the availability of deliverable sites, sites that already have approval *and* forecastable windfall numbers must be used, before deciding if any new sites are put forward for approval.

Wrong assumptions

CDC claim, with long legalistic arguments, that the SE Plan is still operational and valid. The government says no. This is an on-going political bags of worms that urgently needs to be resolved and has been a feature of along acrimonious argument between Sir Tony Baldry MP on behalf of the Government and Sue Smith the Chief Executive of CDC (5 year Housing Supply - briefing note August 2012).

CDC's incorrectly assumes a single target for the total number of houses to be constructed by 2031 in Cherwell of 16750 houses, with a current target for Banbury of 4100 houses announced at our meeting on the 6th October 2012 (reduced successively from 4800, to 4235 in previous iterations of the Plan). This gives annual figures of $16750/25\text{years} = 670/\text{yr}$ for Cherwell, or $4100/25 = 164/\text{yr}$ for Banbury.

Calculation of Housing Land Supply from Deliverable Sites

CDC currently calculate a housing need for 20 years of 13400 (see the latest Housing Land Supply Update August 2012) shown below. The Banbury figures have been added based on the latest CDC 25 year plan of 4100, or equivalent to 3280 in 20 years.

	Cherwell	Banbury	
Plan	13400	3280	2006-26, 20 year
Completions	2542	1240	2006-11
Remaining	10858	2040	2012-26
Annualised	724	136	per year in next 15 years
5 years	3620	680	
Deliverable 5yr	2023	1092	Banbury Bankside 1 approved
Shortfall 5yr	1597	(412)	Banbury is a surplus!

The future for Banbury

Using CDC's own method of calculating "shortfalls" (above) it is clear that Banbury has sufficient approved sites (Bankside 1) to more than cover its 5 year need. CDC has not made any calculation of the NPPF requirement for years 6-11 and 11-15, but this can be extrapolated as another 680 (6-11) and 680 (11-15).

CDC have next in the pipeline the well developed Canalside site which will provide 1050 houses, so the overall availability in years 6-11 is:

Banbury 6-11		
Plan 5yr	680	
Annualised	136	per year
Deliverable	1462	Bankside surplus + Canalside - Plan
Shortfall	(782)	A surplus!

And for years 11-15:

Banbury 11-15		
Plan 5yr	680	
Annualised	136	per year
Deliverable	782	6-11 shortfall/surplus
Shortfall	(102)	Still a surplus!

No new sites are needed

From the figures above the conclusion is that **NO** new sites beyond Bankside 1 and Canalside are needed in any Banbury Plan to cover the NPPF requirement of a 15 year plan.

What CDC need to do is

- * Resolve the SE plan issue - is it still valid or not? This is to be determined by the government. Assuming this is the case, then CDC must then abandon it.
- * Abandon the long 25 year plan out to 2031 and make a correct 5 year, year 6-11 and year 11-15 plan as required by NPPF.
- * Remove all current sites other than Bankside 1 and Canalside from the Local Plan and Map. That is specifically:

Banbury site	Houses proposed
West Bretch Hill	400
North Hanwell	400
Southam Road (E&W)	800
Bankside 2	400

HFDAG members feel strongly about this and have expressed there dissatisfaction with the persistent naming of these sites and inclusion on the Banbury Map in both the Local Plan 2012 and the proposed Banbury Master Plan now in development. These sites all represent a march of unwanted urban sprawl across green, agricultural land so import to the setting of Banbury.

Arguments

The CDC analysis of the way sites are chosen and the numbers to include in the 5 year plan is complicated, reading the "5 Year Briefing Note August 2012" tries to exploit a loophole in the NPPF. This says that although a site is approved, only the number of houses that can be expected to be built can be included as deliverable. For Banbury Bankside this forecast of expected house builds varies from 50 in the Annual Monitoring Report Dec 2011, to 275 in the Briefing Note (a game of 'think of a number'). But because of this CDC believe they are justified in nominating many other sites around Banbury.

This is a ridiculous argument as the number of houses that get built is not dependant on the number of sites named, but the number of buyers for those houses, and the number the builders are willing to build. This is turn is fixed by the finance available, and everyone knows the difficulty of obtaining a mortgage and affording high house prices to day.

Which is why the Government has made a big effort to offer huge amounts of money to get the market moving.

Unfortunately CDC has no published plan to take advantage of the Government's offers and they are stuck with the dilemma of a too big plan, a too small number of buyers with money to buy, a too small offer of houses which builders are able to finance. Resulting in

the shameful and totally unnecessary naming of sites for over 2000 houses round Banbury. The result of which will not be more houses built, but a developer land grab to acquire land and sit on their assets waiting for the value to go up. Pure speculation at our community's expense.

This must be stopped.

SIR TONY BALDRY M.P.



HOUSE OF COMMONS

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6 August 2012

Sue

Five-Year Housing Supply

As you know, Councillors and myself have been concerned at the number of opportunist applications being made recently by a number of developers to build not insignificant numbers of new houses in villages in the District, contrary to the wishes of the community concerned.

Developers have been encouraged to make such opportunist planning applications by certain decisions of the Planning Inspectorate who have failed to take into account, when considering whether Cherwell has an adequate five year housing supply, those sites on which Cherwell has already granted planning permission.

You will know that this is an issue that I persistently pursued with Ministers during the Parliamentary considerations of the legislation that gave rise to the new National Planning Policy Framework (NPPF) and you will know that on more than one occasion on the floor of the House of Commons, Greg Clark the Planning Minister made it clear that my concerns were well founded and that he intended that the new NPPF would ensure that in considering whether a Local Authority had made adequate provision for housing for the next five years, that the Planning Inspectorate would have to take into account all of the planning permissions that the Local Authority had granted, even if construction work had not started on those particular developments.

I had assumed that the problem was sorted!

However, I understand that there was a footnote in the NPPF which had been causing your officials concern.

I therefore took this matter up yet again with Greg Clark and I attach a copy of the Minister's response.

It strikes me that the Minister's response could not be clearer.

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The Ministers says in no uncertain terms that:

"The policy is clear that unimplemented planning permissions count towards the five year supply"

I think the Minister then simply goes on to say that such planning permissions can only be disregarded if it is clear that a Council has deliberately approved planning applications on sites that it:

"is never likely, in practice, to be financially viable to build out".

I do not believe that for one moment the developers who have been granted planning permission for the Bankside/Bodicote site have abandoned that planning permission on the basis that it is unviable.

Similarly, I do not believe that the Dorchester Group purchased Heyford Park without intending to refurbish the 300 existing buildings and build 700 new houses or that the developer who owns the sites at Kingsmere at Bicester intends to do anything other than utilise their planning permission.

So I think the only reasonable inference that can be made from this is that Cherwell has an adequate five year housing supply, unless it is possible for developers to demonstrate to Planning Inspectors that the planning permissions already granted by Cherwell were granted deliberately to thwart housing development in the District and to prevent building elsewhere.

As such, an assumption is clearly on the evidence, without any substance. I think it is going to be very difficult to see how, on the basis of the tests now put forward, the Planning Inspectorate could conclude that Cherwell doesn't have an adequate five year housing supply.

Because of the importance of this matter, I am making this letter public.

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30 JUL 2012

Dear Tony

Thank you for your letter of 27 June, in which you raise the status of extant planning permissions when considering a five year supply of housing sites. This is an issue you highlighted as part of the consultation on the National Planning Policy Framework and, as you know, the final Framework reflects the point you raised.

The policy is clear that unimplemented planning permissions count towards the five year supply. The footnote does require consideration to be given to whether such permissions can be expected to be built. This is necessary because it would otherwise be possible for councils to meet their housing requirements by approving applications for land this is never likely, in practice, to be financially viable to build out. So viability does have a role to play.

The footnote makes clear that all sites with planning permission should be considered deliverable *"unless there is clear evidence that schemes will not be implemented within five years"*. So the onus of proof is, correctly, to show clearly that they will not be implemented if they are not to be included. That seems to me to be a sensible approach.

With best wishes

RT HON GREG CLARK MP

HOUSING LAND SUPPLY UPDATE (AUGUST 2012)

CHANGE TO THE POSITION PRESENTED IN THE 2011 ANNUAL MONITORING REPORT (TABLE 12)

Effect of planning permissions / resolutions to grant permission for:

- 40 dwellings at Yew Tree Farm, Launton (11/01907/F)
- 82 dwellings at Cotefield Farm, Bodicote (11/00617/OUT)
- 37 dwellings at Stanton Engineering, Hook Norton (12/00472/F – 28 homes; 09/01450/F – 5 homes; 11/00585/F – 4 homes)

Table 12b: Revised Calculation of Housing Land Supply from Deliverable Sites – District

		Five Year Period 2011-2016	Five Year Period 2012-2017
a	South East Plan requirement	13,400 (2006-2026)	13,400 (2006-2026)
b	Completions / projected completions	2542 (2006-2011)	2542+222= 2764 (2006-2012)
c	Remaining requirement (a-b)	10,858	10,636
d	Annualised requirement over remainder of plan period (c/years)	723.9 (over 15 years)	759.7 (over 14 years)
e	Annualised requirement over next 5 years (dx5)	3620	3799
f	Supply from deliverable (available, suitable and achievable sites) over the next 5 years	2023	2239
g	Total years supply over the next 5 years (f/d)	2.8	2.9
h	5 year supply shortfall (e-f)	1597	1560
i	Additional Supply from: Cotefield Farm, Bodicote (82) Yew Tree Farm, Launton (40) Stanton Engineering, Hook Norton (37)	159	159
j	Revised supply from deliverable (available, suitable and achievable sites) over the next 5 years (f+i)	2182	2398
k	Revised total years supply over the next 5 years (j/d)	3.0	3.2
l	Revised 5 year supply shortfall (e-j)	1438	1401