

## **Maldon District Council LDP Consultation Sept 2016**

### **Response to supporting documents of the MDC Local Plan - Implications of the DCLG 2014 based Household Projections for the OAN and Proposed Main Modifications**

1. This representation to the Maldon District Council local plan consultation is presented by Strutt & Parker on behalf of our client, M. Scott Properties, their interests in the progress of the Local Plan specifically concerning housing supply, and housing allocations around Southminster.
2. Our principle concern is that the evidence recently prepared does not demonstrate that the Plan is deliverable and fails to identify an effective strategy nor one that is consistent with National Planning Policy. We remain concerned that the Plan is thereby unsound in its current form and that further modifications to the distribution of allocated sites is necessary to ensure the Plan is effective.

### **Implications of the DCLG 2014-Based Household Projections for the OAHN of Maldon District**

3. The Council has sought additional advice from NMSS on the implications of the DCLG Household projections and provided this as document EB106. That advice suggests that the OAHN is likely to be 260dpa as opposed to the previous estimate of 280dpa. It concludes that the difference in the estimates is within a margin of error and that the OAHN should therefore continue to be 280dpa. The Council's position is therefore that the DCLG 2014 Projections do not change the OAHN for Maldon.
4. The report reflects on the ONS 2015 MYE (ONS 2015), the ONS 2014-based Population Projections (ONS 2016) and the CLG 2014-based household projections (CLG 2016).
5. Paragraph 34 of the advice describes the importance of unattributable population change (UPC) among different age groups and the effect this will have on household need. Chart 11 identifies where the UPC occurs for Maldon. The majority of the UPC is seen in the under 25s, who have low household formation rates, and in under 16s who have a zero formation rate. The impact of UPC on Maldon is therefore small (paragraph 35). Further, paragraph 40 of the advice confirms the difference between 280 homes a

year in the March 2015 NMSS advice and 260 homes a year in the current advice is within the error margins of the projections.

6. However, the note has not made any specific allowance for the likelihood that London's inability to accommodate its growing population will lead to increased migration out of the capital. There may therefore be a case for retaining a minimum of 310dpa as the housing requirement to provide headroom for potential increased migration out of London. We would agree with this approach and would consider that an appropriate OAHN for Maldon should be at least 310dpa over the plan period from 2014.
7. It is considered that the advice provides an accurate reflection of current ONS and DCLG projections. Our comments on the advice regarding the Soundness of the Plan relate the Council's ability to meet the identified OAHN. A lack of delivery of homes compared to the OAHN is identified in document EB109 (MDC Five Year Housing Land Supply 2015/16 August 2016), Appendix B, which confirms a delivery in 2015/16 was 114 dwellings compared to an OAN of 310. The failure to deliver in earlier years must be identified in the Local Plan and a means to deliver the unmet need through the release of appropriate sites must be recognised in the Plan.
8. Accordingly, Appendix G of document EB109 confirms the reliance on strategic sites to meet the housing need over the next five years. This is also shown in Main Modification 077. It is unconvincing that the Strategic sites will individually deliver 50, 60, or up to 88 dwellings per annum or that the delivery of dwellings will experience a dramatic increase in the early period of the plan, when such delivery rates have not been achieved in recent years, in a market of high demand. Accordingly, while this representation would agree with the recommendations of the NMSS advice in relation to the OAHN (and therefore Main Modification 098), the ability for the Council to deliver the OAHN through the proposed Local Plan with main modifications 074 and 077, is questioned.
9. The ability to deliver homes is highly reliant on strategic sites. Main Modification 074 confirms the anticipated delivery from strategic sites. This accounts for a significant level of the homes proposed within the District, equal to 4,000 dwellings (84%).

10. It is considered that the modified Policy S2 does not provide an effective and sound distribution of development that will deliver in the proposed timeframes. Due to the nature of the strategic allocations, there are too few smaller sites that could realistically be brought forward to meet the unmet need due to the identified underdelivery in previous years. Furthermore, any changes in circumstances may delay any strategic site(s) coming forward. The inability to bring forward sites would make the plan ineffective and inconsistent with paragraph 47 of the NPPF.
11. It is considered that the strategic allocations identified in the Plan are too large and complex to be delivered within the time periods set out in Policy S2. This remains the case with the modifications.
12. Modification 074 identifies 11 strategic sites, delivering 1,335 dwellings in years 0-5 of the Plan. It is important to note that two years have already elapsed and that delivery of the strategic sites has not kept pace with requirements. Table 4 – Rolling Five Year Requirement of EB109 identifies a shortfall of 303 dwellings between 2014/15-15/16. For sites to be delivered in the short term there should be a high degree of certainty that detailed delivery matters such as infrastructure requirements have been resolved.
13. In our view the Council's assumptions are unrealistic taking into account the environmental constraints of these sites as identified by some of the documents in the earlier evidence base (including EB021), the requirements for infrastructure delivery including education and drainage, and the need to meet with all of the requirements of Policy S6 as set out in the Plan. This remains the case under the modifications made by the Council and subject of the current consultation.
14. It is considered that there are likely to be issues with the development and deliverability of the strategic sites identified, including environmental constraints. This is highlighted by the lack of progress made to date with the planning applications for strategic sites.
15. A main point from the Exploratory Meeting held on 3rd July 2014 states at paragraph 13 that a proactive approach was being taken by the Council in order to meet their housing need, and applications would be brought forward on some of the allocated sites. As set

out in Appendix G of document EB109, to-date planning applications have not been concluded for sites S2(a); S2(b); S2(d); S2(e); S2(h); S2(i); S2(k) with most submitted in outline only.

16. Given the OAHN recommendations to maintain delivery of 310dpa and the outstanding concerns with the Council's reliance on strategic sites, we would take this opportunity to object to the main modifications to the Local Plan with regards to Policy S2 (modification 074). In order to be Sound the Plan needs to be positively prepared, effective, justified and consistent with National Policy. It is our position that the plan is not deliverable in its current form and is therefore ineffective and not consistent with National Policy.
17. To address these concerns the Council should be considering the allocation of a greater number of deliverable sites in order to provide flexibility in the Plan and provide greater certainty that the homes and infrastructure required in the District, particularly in the short term, are deliverable.
18. Our client's site at Southminster, subject of planning application ref. OUT/MAL/16/00167 for 37 dwellings is in a sustainable location where homes could be delivered in the short term. This site would be ideally located to provide a modest contribution to housing supply over the short time, reducing the reliance on problematic strategic sites identified in Local Plan and Main Modifications.
19. We trust that during the forthcoming examination of the MDC Local Plan the above matters will be considered and that these comments will be taken into account.

