



Stage 2 of the Examination Hearings

Hearing Statement

Matter 12: District Wide Policies (CP1, CP22 – CP32 and CP37 – CP46)

On behalf of: Greenlight Developments (879102)

Wednesday 17th February 2016, AM & PM

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1. QUESTION 12.1

Are the policies relating to the presumption in favour of sustainable development and building healthy and sustainable communities soundly based?

(a) Presumption in Favour of Sustainable Development (CP1)

1.1. In part Core Policy 1 reflects the principles of the presumption in favour of sustainable development, and it partly reflects in part the Planning Inspectorate's model wording of this policy. However, for it to be legally compliant and positively prepared it needs to fully reflect the model wording.

1.2. Core Policy 1 needs to follow the Planning Inspectorate's model wording of the presumption in favour of sustainable development policy. This being:

"When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or

- Specific policies in that Framework indicate that development should be restricted."

(b) Housing Mix (CP22)

- 1.3. We have several concerns regarding the wording of Core Policy 22. It is over-reliant on the SHMA data, rather than using the data as a “jumping off” point to which broader policy considerations must then be applied.
- 1.4. We are of the opinion that care needs to be taken with any planning policies that become too prescriptive in the house-types that should be delivered on a given site. We appreciate that there should be a mix of house types across a site, and this assists with the efficient and effective use of land, but an overly prescriptive policy on the number of any particular house-type that can be built on a site, which in part should be a commercial decision, could end-up stifling development at a time when house building is desperately required to take place in order to boost significantly the supply of housing.
- 1.5. On this basis, it is suggested that Core Policy 22 needs to recognise that developers of market housing will understand the local market demand better than anyone and this information will be used to determine an appropriate market housing mix for both site allocations and in the determination of planning applications.
- 1.6. With the levels of affordable housing required (35%) it is usually apparent that the smaller dwellings within a scheme are the affordable units (usually 2-bed properties for the shared ownership products). This provision it is believed will help to meet the requirement for smaller properties. From a viability point of view, without being so schemes would not happen in the first place, the larger properties tend to be the open market dwellings. The emerging Local Plan needs to understand and recognise this.

(c) Housing Density (CP23)

- 1.7. Core Policy 23 needs to reflect the provisions set out in Paragraphs 17 and 111 of the NPPF, which recognises that previously developed land (brownfield land) needs to be effectively used, implying that higher levels of density may be acceptable on such sites.
- 1.8. Core Policy 23 needs to be amended to include the provisions contained in Paragraphs 17 and 111 of the NPPF in relation to effective use of previously developed land (brownfield land).

(d) Affordable Housing (CP24)

- 1.9. The wording of Core Policy 24 needs to be less prescriptive. At present it states that *“There should be a 75:25 split for rented (either social or affordable) and intermediate housing respectively”*, which is too rigid.
- 1.10. The wording with respect to the tenure split needs to be re-worded to say: *“The final tenure mix of affordable housing on individual sites will be subject to negotiation with the Council’s starting point being a 75:25 split for rented (either social or affordable) and intermediate housing respectively.”*

(e) Rural Exception Sites (CP25)

- 1.11. We are concerned that the policy states that housing needs assessments need to be undertaken in accordance with a methodology agreed with the District and Parish Council. We are well aware of numerous examples across the country where Parish Councils refuse to undertake such surveys or plans as an excuse for them not to have any pressure placed upon them to deliver rural exception sites.
- 1.12. In terms of the reference to the Green Belt and that such proposals would not undermine the purposes or visual amenities of the Oxford Green Belt; it is important to note that the NPPF under Paragraph 89 confirms that affordable housing for local community needs (which is what rural exception sites aim to provide for) are defined as exceptions to inappropriate development in the Green Belt.

2. QUESTION 12.2

Are the policies relating to supporting economic prosperity soundly based?

(b) Change of use of Existing Employment Land and Premises (CP29)

- 2.1. The second section of Core Policy 29, talks about applications elsewhere in the District for the change of use of land or premises that are currently, or were last, used for employment purposes needing to demonstrate that at least one of a series of criteria is met; ranging from, there is no reasonable prospect of the land or premises being used for employment purposes, to the land or premises is unsuitable for business use on grounds of amenity, environmental or highway safety issues. This policy approach is considered to be too onerous when viewed in the context of Paragraphs 22 and 51 of the NPPF.
- 2.2. Paragraph 22 of the NPPF states that, planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.
- 2.3. Paragraph 51 of the NPPF states that Local Planning Authorities should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in B use classes) where there is a need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.
- 2.4. This is a far more positive approach and the second section of Core Policy 29 needs to be re-drafted to reflect such an approach.

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