

Hearing Statement – Matters 10 and 11

Sunderland Core Strategy and Development Plan

On behalf of Barratt David Wilson Homes (North
East)

April 2019



I. Introduction

- I.1. This is a Hearing Statement prepared by Spawforths on behalf of Barratt David Wilson Homes (North East)(BDW) in respect of:
 - Matters 10 and 11: Infrastructure and Delivery/Monitoring and Implementation
- I.2. BDW has significant land interests in the area and has made representations to earlier stages of the Local Plan process.
- I.3. The Inspector's Issues and Questions are included in **bold** for ease of reference. The following responses should be read in conjunction with BDW's comments upon the submission version of the Sunderland Core Strategy and Development Plan, dated July 2018.
- I.4. BDW has also expressed a desire to attend and participate in Matters 10 and 11 of the Examination in Public.

2. Matters 10 and 11 – Infrastructure and Delivery/Monitoring and Implementation

Issue – This matter considers overall infrastructure provision and its implications for viability and deliverability and monitoring and implementation provisions.

Matter 10 – Infrastructure and Delivery

The evidence base underpinning the LP

1.1) Does the Plan and Whole Plan Viability Study make realistic assumptions about land values, sales values, profit and development costs?

- 2.1. BDW is concerned with some of the assumptions within the Viability Assessment. The assessment reviews to a certain extent the interaction of different policies the base assumptions and the values in terms of build costs, finance, abnormal costs, contingencies and construction appears low.
- 2.2. Furthermore, as stated in response to Matter 5 Question 1.1 the Whole Plan Viability Study utilises a different assumption on affordable housing tenure splits to that which is in the Plan.
- 2.3. Similarly, BDW is concerned that the viability assessment shows that a significant proportion of urban sites will not be able to achieve affordable housing due to viability matters.
- 2.4. The Government is keen to avoid such a situation where viability assessments are being submitted regularly to vary planning policy obligations. The Council must be aware of the impact that viability assessments and subsequent negotiation of obligations can have on the delivery of development. This could impact on the delivery of the housing target. Instead, the Council should ensure this policy is well tested to ensure the sites identified and allocated are deliverable.

- 2.5. Therefore, there is the danger that the impact of policies could threaten the ability to develop sites and the scale of development identified in the Plan. BDW consider that caution should be taken to ensure a reasonable return is made to a willing landowner to fully accord with the Framework and PPG.

Transport Network

2.1) Are the transport routes identified in Policy SP10 necessary to support sustainable development?

- 2.6. BDW has no specific comment in relation to this issue.

2.2) Will the routes support the use of sustainable modes of transport?

- 2.7. BDW has no specific comment in relation to this issue.

Policies ID1 and ID2

3.1) Will Policy ID1 and the allocation policies of the Plan ensure that necessary infrastructure is delivered and in a timely fashion?

- 2.8. BDW is concerned that the interaction between all the policies has not been fully considered and could render sites unviable and therefore undeliverable.

- 2.9. BDW is concerned that a number of schemes in the Plan are reliant on the delivery of significant infrastructure. At present some of these schemes are not agreed or have funding. BDW consider that to ensure delivery of the objectives of the plan and much needed housing that flexibility needs to be incorporated into the plan and further sites identified.

3.2) Is Section 2 of Policy ID1 and the link to the IDP too prescriptive?

- 2.10. BDW consider that Section 2 of Policy ID1 should not refer to “timing” as timescales and phasing within the IDP is vague and different sections. Some infrastructure elements for example suggest a year, whilst other pieces of infrastructure are years 1-5. BDW therefore consider that phrase “the timing and” should be deleted from Section 2 of the policy.
- 2.11. BDW considers it is entirely appropriate that the prioritisation of infrastructure should occur in accordance with the IDP as this document should guide what infrastructure is needed across the authority area to deliver the plan. However, the timescales for the delivery of such infrastructure may change over course of the plan period.

3.3) Are the policies consistent with the legal and policy tests for planning obligations?

- 2.12. BDW has no specific comment in relation to this issue.

3.4) Are the policies clear as to the effects of viability on the ability to make infrastructure and other contributions/obligations?

- 2.13. BDW is concerned that the interaction between all the policies has not been fully considered and could render sites unviable and therefore undeliverable.
- 2.14. BDW consider that the general approach the Council has adopted through the above policies and their interaction with other policies and policy requirements in the plan could hinder the potential delivery of housing on the proposed allocations.
- 2.15. The proposed approach towards the housing allocations and other policy requirements could reduce the potential level of housing or even undermine the viability of schemes, hindering the delivery of sites in their entirety. BDW has raised concerns with Policy BH2

and the approach towards energy efficiency and Policy BHI and NDSS. These have been explained in detail in response to Matter 5 and have the potential to have significant viability implications.

- 2.16. BDW is also particularly concerned with Policy HI and once this is entwined with site specific requirements and the implications for schemes, in particular the need to deliver 10% of dwellings as accessible and adaptable homes.
- 2.17. As stated in response to Matter 5 BDW considers it is important that the Council recognises the viability implications of requiring all houses to meet the enhanced accessible and adaptable homes standards. It is likely that this requirement will make a large proportion of sites identified by the Council as suitable for development unviable. The Council has made reference to the fact that this policy will be subject to site viability. However, this is very vague and could result in stalled development where time is taken to debate viability issues. The Council must be mindful that it is unrealistic to negotiate every site on a one by one basis because the base-line aspiration of a policy or combination of policies is set too high as this will jeopardise future housing delivery. BDW would urge the Council to reduce the % requirements to ensure the deliverability of any policy. The policy must be viability tested in line with paragraph 173 of the NPPF to ensure that the scale of policy burden is not such to threaten development. BDW would like to see a copy of the Council's viability testing in light of this policy. The Council should work with housebuilders to ensure the benchmark land value being used in the viability testing is reasonable. BDW does not consider that the evidence presented justifies the policy.
- 2.18. BDW therefore consider a flexible approach be adopted through the plan and an increase in the housing requirement should be considered as part of the approach to ensure that the delivery of the OAN is achieved as a minimum.
- 2.19. The proposed approach towards the housing allocations and other policy requirements could reduce the potential level of housing or even undermine the viability of schemes, hindering the delivery of sites in their entirety.

3.5) Is the requirement within Policy ID2 to seek monitoring fees justified?

2.20. BDW has no specific comment in relation to this issue.

Greenspace

4.1) Will Criteria 2 and 3 of Policy NE4 deliver sufficient greenspace alongside new development so as to create well-designed neighbourhoods which support healthy lifestyles and well-being?

2.21. BDW is **concerned** that part 3 policy stem i) of Policy NE4 requires the provision of onsite greenspace of 0.9 ha per 1,000 bedspaces. The level attributed is to be undertaken in accordance with paragraph 10.26. The effect of such an approach could render between a quarter to a third of a potential housing site as greenspace, coupled with national space standards, requirements on mix and other policy standards, there could be implications for potential housing schemes.

2.22. Policy NE4 states that greenspace is required on site unless a financial contribution is made for off-site greenspace nearby. However, this is inconsistent with Policy ID2 Planning Obligations which states that contributions will be sought and that viability assessments will be considered on a site specific approach.

2.23. Flexibility therefore needs to be incorporated into Policy NE4 which reflects Policy ID2. The Local Plan at present is internally inconsistent and could undermine the delivery of housing.

Pooling of Contributions

5.1) Are there likely to be any implications arising from the pooling restrictions within the Community Infrastructure Levy (CIL) Regulations for the delivery of infrastructure going forward?

2.24. BDW has no specific comment in relation to this issue.

IDP

6.1) Is the IDP clear as to what infrastructure projects are critical to the delivery of the LP, when infrastructure will be delivered, sources of funding and who is responsible for delivery?

2.25. BDW does not consider the Infrastructure Delivery Plan to be a clear document, which does not clearly explain what infrastructure is needed and when to aid the delivery of strategic sites in accordance with the housing trajectory. For example, the tables in the Appendices are all different and completed in a different manner. However, critically for the South Sunderland Growth Area the most critical infrastructure is transport related and the indicative phasing for the junction improvements and the Ryhope to Doxford Link Road is short term 1-5 years. This broad range has profound implications for not only the delivery of the site, which cannot be delivered until the road is completed, but also for the delivery of the Plan itself.

2.26. The IDP needs to be clear and the delivery of infrastructure needs to clearly relate to the housing and employment trajectories of the Plan.

2.27. BDW considers clarification is required. At present, the evidence causes concern as it does not reflect the housing trajectory or anticipated delivery.

Matter 11 – Monitoring and Implementation

Monitoring Framework

1.1) Is the Plan clear in indicating how the Plan's policies and proposals will be monitored?

2.28. BDW has no specific comment in relation to this issue.

1.2) Will the indicators in the Monitoring Framework be effective in monitoring the success of the Plan's policies and proposals?

2.29. BDW has no specific comment in relation to this issue.

Review of the Plan

2.1) Is the LP clear as to when a review or partial review of the LP would be triggered due to a failure to meet key targets, for example for those relating to the delivery of housing?

2.30. BDW does not consider that the Plan is clear as to the trigger points for when a review will occur.

2.31. The Introduction explains in Paragraph 1.7 that the policies in the plan will be reviewed and kept up to date, but this does not explicitly explain the trigger point for a Local Plan Review.

2.32. Similarly, Policy SP8 suggests in its supporting text at paragraph 6.9 that if through annual monitoring housing delivery is not keeping pace with the minimum target a review of the plan may occur.

2.33. Nevertheless, in accordance with national guidance a statement has to be made on reviewing a Local Plan every five years. Paragraph 33 of the 2019 Framework states:

Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Reviews should be completed no later than five years from the adoption date of a plan, and should take into account changing circumstances affecting the area, or any relevant changes in national policy. Relevant strategic policies will need updating at least once every five years if their applicable local

housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future.

2.34. BDW considers a statement which reflects this guidance should be included within the Plan.

Supplementary Planning Guidance

3.1) Is the Plan clear on the SPD that will be prepared to provide guidance on the implementation of the Plan?

2.35. BDW has no specific comment in relation to this issue.

Saved Policies

4.1) Is the Plan clear on which UDP policies are to be saved or superseded?

2.36. BDW has no specific comment in relation to this issue.

Proposed Change

2.37. To overcome the objection and address soundness matters, the following changes are proposed:

- Identify clearly the timescales for a Local Plan Review.
- Include greater flexibility within the Plan to account for the potential delay in delivery of proposed schemes.
- Review viability evidence and the interaction of policy requirements.
- Remove conflicts with national guidance, for example in Policy BH2.
- Remove the requirement for national space standards in Policy BH1.
- Remove the element of Policy H1 referring to accessible and adaptable homes.