

CORE STRATEGY FOR CHILTERN DISTRICT - EXAMINATION

INSPECTOR'S AGENDA: HEARING, THURSDAY 14 APRIL (1st session)

Main Matter 6

There is a separate agenda for the 2nd session on MM7.

This agenda draws on the main questions set out in the Main Matters and Questions 21 February. These are indicated thus (Q7.1). In the light of the Council's responses, not all of the previous questions need be explored further. Additional, follow-up questions and comments are shown in *italics*.

Sub-matter - Affordable Housing

The Council's statement CDC8 responds to my request to illustrate what is the projected outcome for the provision of affordable housing between 2011-2026.

The Council's projected outcome includes the projected delivery of affordable housing from all the SHLAA sites. However, CDN113 makes clear that only a limited number of SHLAA sites are required to deliver the 2,400 dwellings currently proposed in the Core Strategy and not all of the SHLAA sites are required to deliver 2,900. Indeed, the Council emphasises that it should not be assumed that all SHLAA sites will be built.

Could the Council prepare for the hearing a revised projection based only on the proportion of SHLAA sites required to deliver 2,400 and 2,990 dwellings respectively. (I appreciate that a crude assessment will need to be made since it is not known which sites of what size will contribute to such delivery.)

In making the above assessment is it realistic, as the Council has done, to assume that the proportions set out in policy CS8 will be met in full on all sites?

(Q7.4) In the light of the evidence to be produced above, does the Council's target of 500 affordable dwellings have a reasonable prospect of being met?

Policy CS8

(Q7.7) The Viability Study (CDN082) suggests that the evidence supports the Council's approach in terms of suitably challenging *targets* (3.5.1), that they form a clear basis for a *negotiated* approach (3.5.6), and that the role of *viability* considerations needs to be acknowledged in the policy (3.5.8.). The policy does not incorporate these words. Does it adequately reflect this advice? If not, is the Council justified in departing from it?

The Council has proposed a change in CDN117 concerning viability. Having considered all the written evidence and statements, my preliminary view is that all the above words in italics need to be incorporated in the policy to embed sufficient flexibility in the light of the viability evidence. I invite the Council to table revised wording for discussion.

Q7.11 In applying CS8, a scheme of 4 units would need to contribute 80% of the cost of a 2 bed house locally. Could this be a more onerous requirement than providing 1 affordable unit on site in a 5-7 unit scheme? *If so, would this be reasonable?*

Q7.12 Is it reasonable to expect the applicant to provide a full financial viability assessment and justification as well as to pay for an independent review of the information (CS paragraph 10.5)?

Q7.14 Is it consistent with the advice on affordable housing in PPS3 to expect development of only one additional new dwelling to contribute to the provision of affordable housing?

The Council has proposed a change to monitor the percentage of new affordable homes granted permission. How will this help the Council know whether the policy is effective? Should monitoring relate to the size of sites and achievement of the proportions sought in policy CS8 (rather than an overall total/percentage)?

Other policies

Q7.17 Where is policy CS8 (Rural Exceptions) intended to apply? *Council to provide the plans of Chiltern which identify the areas to which the relevant SI (SI 1997/625 or similar Regulations) relates. Is it consistent with the intentions of PPS3 for the rural exceptions policy to be used for the provision of affordable housing on the edge of large settlements such as Amersham and Chesham?*

Q7.19 Is the tenure split in CS10 justified by evidence? *I have not seen any evidence that a different tenure split would be justified and effective as a starting point, but should there be flexibility to respond to local circumstances/needs and viability?*

Q7.20 Will policy CS11 achieve the desired outcome? *(The Council's analysis of the likely delivery of different sizes of affordable dwellings also draws on all SHLAA sites and is thus unrealistic in relation to the proposed 2,400 dwellings or for the delivery of 2,900 dwellings.)*

Short adjournment

Sub matter – Homes for Special Needs

Q7.21 Is there clear evidence for the scale of accommodation required for people with particular needs and older people over the plan period?

The suggested new monitoring indicator for policy CS12 (CDN117) is the number of units of sheltered accommodation. As defined in the Glossary, this would not encompass the different types of needs/accommodation referred to in the plan. Should monitoring include other specific types of accommodation, such as extra care, to which particular emphasis is given in the text ?

The NSE site provides specialist accommodation for national/regional needs. Should the monitoring of the provision of specialist accommodation generally, which will include developments at that site, distinguish between specialist accommodation meeting national/regional needs and that intended primarily to meet local needs?

Q7.23 Are the 3 sites highlighted at the end 11.3 compatible with the locational steer provided in policy CS12? *In particular, does highlighting Newlands Park (which the Council acknowledges as not entirely compatible with CS12) undermine the effectiveness of the future application of the policy?*

Q7.24 Why does policy CS13 restrict any redevelopment to medical facilities or residential institutions? Is this relevant to the site's designation as an MDS? *I*

invite the Council to consider carefully the response statement by Savills on behalf of the NSE and respond first at the hearing. Discussion.

Short adjournment

Sub Matter: Gypsies, Travellers and Travelling Showpeople

Evidence of need

The Council's proposed changes in CDN117 make clear that the Council is relying on the evidence of local needs from the GTAA but adjusted as a result of the benchmarking exercise (ie 9 additional pitches between 2006 and 2016). This figure is critical to whether any additional provision will be planned in the district to 2016 and thus the robustness of the evidence drawn from the GTAA needs to be tested.

The Council did not respond in detail to my previous questions (Q7.29 and Q7.30) concerning the robustness of the GTAA. Please be ready to do so at the hearing, in particular:

Q7.29 Does the GTAA make reasonable assumptions about:

- The existing backlog of needs (unauthorised sites and encampments and suppressed households)?
- Future arising needs (eg household formation)?
- The likely needs of gypsies and travellers living in conventional housing but wishing to return to living in caravan if the opportunity arises?
- The contribution to meeting future needs from genuine vacancies on authorised sites? Does any evidence or assumptions about turnover of pitches on public sites represent genuine vacancies for households without an authorised pitch?

In relation to the needs of Travelling Showpeople, given that the Council is accepting a need for 16 additional pitches (CS 11.9, as proposed to be amended) why is paragraph 11.12 and policy CS14 tentative as to whether there are any needs to be met?

Policy CS14

Q7.33 Are the criteria in policy CS14 reasonable and consistent with the approach in other policies in the Core Strategy and with advice in Circulars 1/2006 and 4/2007?

The Council's statement acknowledges (CDC8/B, p5) that it is "correct to assume that this development is only acceptable in principle within settlement areas excluded from the Green Belt". But the Council did not respond to the remainder of Q7.34, namely: Is it reasonable or practical to expect gypsy sites to be found in such areas given the competing demands from higher value uses? What assessment has the Council made of whether there are likely to be available, suitable and affordable sites which meet all these criteria? If not, how will the policy ensure that needs are met? Would it be effective?

Policy CS14 would preclude a single pitch/plot in any Green Belt location including settlements in the Green Belt where infilling of 1 or 2 dwellings is allowed under policies GB4 and GB5. Is this approach justified or fair? (Although gypsies and travellers may not be able to afford any such opportunities.)

In respect of AONBs, Circular 1/2006 states that "sites should only be granted where it can be demonstrated that the objectives of the designation will not be compromised by the development" ie acceptability depends on the actual impact. Is criterion a) consistent with that advice? Why is any AONB criterion required given policy CS22?

Criterion c) requires no loss of employment land/sites. Policy CS16 covers employment sites/land and, in as much as it does (or may) allow some flexibility for changes of use, why should gypsy sites be excluded from any such flexibility. Why is this criterion necessary given that the Core Strategy should be read as a whole?

Is criterion d) reasonable, bearing in mind that most developments may have some adverse impact? Is the relevant question whether the impact is unacceptable or significant etc?

How is criterion f) relevant given the policy steer to urban sites only? If the policy was amended to countenance sites in the countryside, how would this criterion be interpreted in practice?

The policy lacks any consideration of the suitability of the living environment the proposed site would provide for future occupiers. Is this a relevant consideration which should be incorporated to ensure needs are met in a suitable manner?

I note the Council's proposed changes to the policy. On the basis of the written evidence, it is unlikely that I would be able to find the policy (as proposed to be changed) justified or effective.

Simon Emerson
INSPECTOR
31 March 2011