



ESSENTIAL REFERENCE PAPER C

Strategic Sites Deliverability Advice Note

29-08-14

1. Introduction

This note sets out advice on key infrastructure and site deliverability considerations at emerging potential strategic sites. It follows discussion regarding delivery of major, cross boundary sites through the draft Local Plans. It focuses on two key aspects:

- Draw knowledge from comparable projects and experiences (sharing transferrable lessons from other projects and Local Authorities that have been considering issues relating to large scale growth); and
- Provide advice on infrastructure deliverability and plan making, reflecting upon the current available information and potential requirements of the plan making system.

In this note, the term 'strategic site' refers to both Strategic Site Allocations (SSA) and Broad Locations.

2. Deliverability and Soundness

Section 20(5) of the 2004 Act provides that the purpose of an independent examination in to a Local Plan is to determine in respect of the development plan document:

- whether it satisfies the requirements of sections 19 and 24(1), regulations under section 17(7) and any regulations under section 36 relating to the preparation of development plan documents; and
- whether it is sound.

This note draws on general guidance on deliverability, namely:

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- The Planning Inspectorate - Examining DPDs: Learning Lessons from Experience' (September 2009)
- Planning Advisory Service (PAS) - 'Successful plan-making: Advice to practitioners' (July 2013)
- Harman Review of Viability Evidence for Plan Making

3. Principles for Strategic Sites

Identified below are some key principles as to how evidence could be tailored according to when strategic sites are due to come forward.

(a) Identify the critical/essential pieces of infrastructure

These are items which, if not delivered, would mean that development could not come forward. Is the infrastructure clear, costed, realistically timed and capable of being funded?

(b) Engage directly with timing issues

In demonstrating deliverability the relationship between phasing and viability is critical. The importance of providing a significant amount of strategic infrastructure at the earliest possible opportunity must be balanced against the recognition that for developers of strategic sites, cash flow

in the first five years is vital to ensuring that the whole scheme can be delivered. There are often certain items of strategic infrastructure such as roads, education and healthcare provision which are viewed as pre-requisites to development to enable the development to be accessed or serviced. In such cases it is essential to understand the costs of such provision and the impact on the phasing and viability of the scheme. It is often helpful to set out trigger points for the provision of items of infrastructure and potential embargoes to be put in place to prevent further development until certain items have been provided. An appropriate balance needs to be struck between certainty and an undesirable lack of flexibility.

(c) Clarify the relationship to the Infrastructure Delivery Plan & demonstrate an effective partnership approach

The funding and implementation of the infrastructure needs are, in many cases, directly linked because the funding of an item of infrastructure might dependent on who delivers it, and vice versa. Where it is not appropriate to definitively say how this will be done, or it will be part of negotiations for a planning application, reasonable assumptions should be explicitly stated. The implications of any alternative approaches should also be considered. LPAs and infrastructure providers should as a minimum come to an Examination into a Local Plan with a statement of common ground that includes consideration of the key infrastructure issues.

(d) Show flexibility in aligning planning application processes with plan preparation

In situations where an outline planning application is in the early stages of preparation a pragmatic approach can be adopted whereby evidence gathering is brought together to save time and resources. This could, for example, include capacity testing of an illustrative layout together with an enhanced understanding of the environmental, technical and planning context of the site. This need not try to answer every detailed issue normally addressed at the outline planning application stage but should be capable of addressing issues critical to the delivery of the scheme. Where viability testing indicates significant risks associated with early delivery (see viability below) of infrastructure, it will be necessary to demonstrate flexibility in the policy approach to infrastructure requirements.

There will also be circumstances where a local authority wishes to progress a site in parallel with the Local Plan. This requires continued close working between a local authority and landowner/developer on a site specific proposal (particularly during the pre-application phase). The use of a Planning Performance Agreement (PPA) can greatly assist this process.

(e) Consider drawing evidence together into a concise delivery plan

In some cases it may be appropriate to draw together deliverability evidence in a concise delivery paper. A summary of the proposed infrastructure delivery along a timeline is often advisable to show the period over which an infrastructure item is delivered, starting with the planning and design, through its construction to the point at which it is available to serve the development. In some cases the preparation of a Development Framework can usefully form a part of the evidence base if pitched at the right level. This should avoid being too prescriptive or detailed but can help establish a strategic context for the allocation as well as set out the process for dealing with subsequent planning applications and design codes. It should be remembered that whilst the detail regarding planned infrastructure can be set out in supporting evidence which can be updated regularly (NPF Para 47), the critical/essential infrastructure on which delivery is dependant need to be embedded in the Local Plan itself.

(f) Demonstrate contingency planning

Effective contingency planning in the context of large scale allocations can help support the evidence base in the current economic climate. Developing a strategy for dealing with slippages and delays is recognised good practice and increasingly under scrutiny by PINS. Questions to pose may include, for example, how would a community cope with the loss or slippage of individual phases or individual

elements of critical/essential infrastructure in its early stages of delivery? How will services be provided? What tools and mechanisms are available to review and monitor the situation and how could this be managed?

(g) Clearly identify how, when and by whom further attention to master planning & design will follow

The inclusion of a basic concept plan as part of a site-specific policy in a Local Plan can help provide confidence over delivery. Identifying next steps is also a key element. In the case of broad locations this may include a stated commitment to working up the detail in a Site Allocations Document or an Area Action Plan with associated timings for delivery. The general trend is towards a single unified plan so convincing justification will be needed to relegate too much detail to subsequent documents. In the case of SSAs the policy may require the working up of detail via a masterplan which in turn could be adopted as a Supplementary Planning Document. Milestones for progression of the development e.g. application submission and commencement on site, phasing and consequences ought to be outlined. In either event, clear next steps should be spelt out so that there is a shared understanding of the design and development process. This can be particularly important in situations where land ownership is fragmented and different delivery models are being deployed. Where the master planning process is already well advanced there will already be a greater understanding of the technical issues, potential mitigation measures, development costs and overall viability.

(h) Develop flexible site-specific policies

Site-specific policies should be drafted with reasonable flexibility to allow for scheme development and financial viability in changing economic circumstances. Policies should not preclude development in certain parts of the site without clear reason or be overly prescriptive in terms of phasing. They should also avoid spurious accuracy when quoting figures and unnecessary detail.

4. Delivery Timeframe and Evidence Required

One clear message from the general guidance outlined in Section 3 above is that the breadth and depth of evidence needed to demonstrate deliverability will vary depending on when development is expected to come forward. For delivery within the first five years of a plan, a relatively high degree of certainty is required. However, expectations are less in relation to development that is expected to come forward in the medium to longer term.

In terms of strategic sites, this raises the following issues that need to be addressed:

Sites being delivered in the short term (1 – 5 years)

- Is there a high degree of certainty that detailed delivery matters such as land availability, assembly and infrastructure requirements have been resolved? If not all the answers are available what assumptions have been made about these matters?
- Does the evidence base in its entirety amount to a convincing and coherent story? Is there a need to bring together fragmented evidence into a single coherent delivery strategy or plan?
- Does the evidence base deal with the “what ifs” and demonstrate that all sensible efforts have been made to get answers?
- Does the evidence base identify and resolve the critical bits of infrastructure and are these plotted on a timeline?

Sites being delivered over the medium to longer term

- Is there ‘agreement in principle’ from key agencies involved in delivery (including infrastructure provision)?

- Where the site is reliant on funding sources other than the development itself does the evidence base demonstrate the proposal is the type of scheme that is likely to attract funding and identify the likely sources?
- How effectively does the evidence base relate to the Infrastructure Delivery Plan?
- How effectively have communities, external bodies and statutory consultees been engaged? Does the evidence base demonstrate a strong public/private partnership approach with appropriate mechanisms for driving projects forward and resolving obstacles?
- Have alternative locations been thoroughly tested and is there a convincing explanation for selecting the site in question?
- Does the evidence based demonstrate that monies involved are not extraordinary given the nature of proposal?
- Where design remains at an early stage and a comprehensive master planning approach is being promoted, have the next steps been clearly identified?

5. Dealing with viability

Dealing with viability, particularly in the context of early planning for complex strategic sites, can be difficult to tackle. Because of the widely different economic profiles of sites within an area there is no one size fits all approach. However, evidence is required to demonstrate a strategic site is generally viable, even in the case of broad locations, as vague statements of viability from interested parties are unlikely to carry weight. The onus to provide evidence is likely to be even more significant in situations where allocations are being carried forward from previous plans and little or no development has occurred in the intervening period.

The approach to assessing plan-wide viability is addressed in advice by the Local Housing Delivery Group chaired by Sir John Harman (2012) and the NPPG. The Local Housing Delivery Group make the point that *“viability assessments of Local Plans should be seen as part of the wider collaborative approach to planning and a tool that can assist with the development of plan policies, rather than a separate exercise.”* A number of case studies explored by ATLAS have identified the following issues to deliberate when tackling viability:

- Maximise the scope for alignment of assessments such as CIL and Local Plan viability testing. This will help with efficiency savings in procurement as well as maximising consistency in approaches and methodologies.
- Timing issues are important because the single biggest influence on viability is usually house prices. The test of viability is not that the site(s) earmarked for development need to be financially viable at the present time. It is quite reasonable to anticipate some recovery in house prices and in market conditions generally where there is professional evidence to suggest that this might occur. In addition, consider what of the infrastructure required needs to be provided by when (i.e. inter-related phasing of all elements)?
- Ensure there is sufficient transparent evidence to allow testing. General statements from developers saying it can be funded are unlikely to carry much weight. Whilst commercial considerations may limit the extent to which sensitive data can be released there must be sufficient transparent evidence such that assumptions can be tested and to avoid the actual calculation being hidden or obscured by detail.
- Consider using a reasonable degree of scenario testing. One approach for a SSA would be to examine the viability of each core phase and, critically, the allocation as a whole against different economic scenarios. A reasonable degree of scenario testing will help demonstrate a development is viable across a range of economic scenarios and is suitable in the case of medium to longer term developments. In cases where no specific development proposals are emerging yet, the appraisals provided are likely to be based upon very broad assumptions in respect of design, layout and quantity of development. It is generally accepted that many of the assumptions will change and therefore the residual land value is likely to fluctuate, possibly to a significant degree.

- Consider using tools such as the HCA's Development Appraisal Tool to run these high level overviews of potential viability based on the residual valuation principles. This tool is widely recognised and readily available. It enables users to look at development periods which span over several years. Other tools are available and it may depend on the type of development model being deployed e.g. land trading model may demand a different approach using Internal Rate of Return (IRR). More guidance is available in the RICS guidance note Financial Viability in Planning.
- Continue to keep in mind the value at which land will typically come forward for development. As stated by the Local Housing Delivery Group report it should be noted that, on large complex sites, there are additional costs of site assembly and planning promotion that will need to be factored in. Special consideration also needs to be given to the manner in which Threshold land Value is treated (see Harman Review for further guidance p.29-31).

6. Lessons from Examinations

Review of Examinations

To supplement the above principles ATLAS has identified 11 Local Plans whose Examinations raise particularly relevant issues in relation to deliverability of strategic sites. The review focusses primarily on district-wide plans and sought to learn lessons on the level of evidence on the deliverability from those plans that have been found to be both sound and unsound (or where the Inspector has made clear that they have significant concerns about the effectiveness of a proposed plan). It considered:

- Overall approach to delivery of strategic sites (Allocations, Broad Locations, future Allocations DPD/AAP/SPD or combination);
- Evidence to support proposed transport and other infrastructure; and
- Evidence to support overall delivery/viability of proposed Allocations/Broad Locations.

The examinations that were investigated are set out in the table below and the detailed findings are set out in Appendix 1 (separate document).

It should be noted that every plan that we have looked at will have a unique context and set of influences. Each will involve a considerable evidence base and many individual stakeholders. In the time available, our approach has been to undertake an initial high level review based primarily upon the Inspector's final reports, and therefore the findings may not be fully reflective of the full context and should not be taken as definitive or comprehensive.

Development Plan	Decision
Central Lancashire Core Strategy Central Lancashire Authorities (Preston, South Ribble and Chorley)	Sound subject to Modifications
Derriford and Seaton Area Action Plan Plymouth City Council	Plan found unsound
East Hampshire District Local Plan Joint Core Strategy East Hampshire District Council and South Downs National Park Authority	Examination suspended; further work being undertaken
Fareham Core Strategy Fareham Borough Council	Sound subject to Modifications
Halton Core Strategy Halton Borough Council	Sound subject to Modifications

Melton Borough Core Strategy Melton Borough Council	Plan withdrawn following Inspector recommendations
Milton Keynes Core Strategy Milton Keynes Council	Sound subject to Modifications
Newark and Sherwood Core Strategy Newark and Sherwood District Council	Sound subject to Modifications
Tamworth Local Plan Tamworth Borough Council	Plan withdrawn following Inspector recommendations
Taunton Deane Core Strategy Taunton Borough Council	Sound subject to Modifications
Winchester District Core Strategy Winchester City Council and South Downs National Park Authority	Sound subject to Modifications

7. Key Lessons for Strategic Sites

Broad Locations/Allocations/SPDs

- Need for sufficient housing sites to be allocated in Plans themselves, rather than the promotion of sites identified in the SHLAA by way of SPDs (which is uncertain/risky) (Tamworth).
- It is not essential that all necessary transport infrastructure is identified before designating a Broad Location, providing that the highway authorities (County and Highways Agency) do not object in principle and that there is a commitment to continue to liaise with all relevant parties in a collaborative way. A process for identifying additional supporting infrastructure (e.g. Highways and Transport Masterplan feeding in to an Allocations DPD) helps provide confidence, but is not essential (Central Lancashire Authorities).
- Allocations need to establish key principles (including constraints, land uses and scale, necessary infrastructure, thresholds for the delivery of infrastructure, funding, delivery and milestones) and masterplans can help achieve this (Tamworth).
- A Core Strategy which does not in itself allocate sites needs to commit to the preparation of the early production of a subsequent development plan that allocates sites within identified Broad Locations in order demonstrate that there is realistic prospect of development taking place (Taunton Deane and Central Lancashire Authorities).
- A 'Strategic Sites and Locations Assessment' (or similar) can helpfully set out the reasoning behind the selection of proposed sites/locations as well as the reasons why other sites/locations have not been favoured (Central Lancashire Authorities).
- Need for allocations to be realistically deliverable (not aspirational) – the existence of an undetermined planning application does not negate the need for evidence on deliverability (Plymouth).

Overall evidence

- Evidence needs to be transparent and available for scrutiny for it to be given weight (Fareham).
- Proposed Allocations need to be based on a thorough understanding of evidence in in the SHMA, SHLAA and an assessment of the effectiveness of carrying forward previously allocated sites (which have not delivered despite allocation) (Tamworth).
- Need for up-to-date evidence relating to the objectively assessed housing requirement (East Hampshire).
- Importance of sufficient information to demonstrate likely financial viability (Melton and Tamworth).
- Importance of up-to-date evidence on demand (Plymouth).

- Importance of evidence to support infrastructure needed to support development expected to come forward in the next five years (Plymouth).

Engagement

- Need to demonstrate adequate engagement with infrastructure providers over infrastructure requirements and for these to be reflected in the plan/IDP (Melton and Police).
- Demonstrating an approach to project governance, involving all the key parties, is helpful to give confidence that issues can be addressed collaboratively (Fareham).

Promoters/developer evidence

- Evidence of consultation with landowners and prospective developers is important (Milton Keynes).
- Comprehensive evidence from promoters/landowners is important in building confidence and addressing uncertainty, with Statements of Common Ground between LPAs and promoters (East Hampshire and Taunton Deane).

Duty to co-operate

- Importance of duty-to-co-operate issues for those SSAs/Broad Locations that are close to District boundaries (East Hampshire).
- If relying on the delivery of additional housing in a neighbouring authority to help meet the objectively assessed housing requirement, such housing should be physically related to the District and there needs to be sufficient evidence to demonstrate likely delivery (including mitigation of likely impacts on the host and exporting authorities, infrastructure requirements and financial viability) (Tamworth).

Uncertainty

- Whilst the Core Strategy was the place to make the key in principle decisions, future planning stages could confirm details and resolve matters that may be outstanding (Fareham).
- Uncertainty in terms of specific infrastructure works or their funding is not fatal; as long as a reasonable level of work has been done to show that there are options to address issues, and the key relevant stakeholders have not objected or identified (with evidence) potential show stoppers (Fareham, Taunton Deane and Winchester).
- Evidence of past delivery by LPAs of housing and associated infrastructure helps provide confidence that sites are likely to be delivered in the future (Milton Keynes and Central Lancashire Authorities).
- Detailed traffic impacts and associated mitigation are matters that are capable of being left to be determined by Transport Assessments associated with specific proposals (Newark and Sherwood).
- Importance of contingency planning. Monitoring is not enough – need to outline how and what actions would be undertaken to keep the plan on track (Plymouth).

Wider contribution/benefits

- Infrastructure required to support new development at SSAs may also be required to support new development elsewhere (Halton).
- Opportunity to improve facilities/services for existing residents as well as provide for future residents is a relevant consideration (Newark and Sherwood).

Masterplans

- Indicative masterplans are helpful in building confidence over deliverability (Taunton Deane).
- The inclusion in the Plan of illustrative ‘masterplans’ (in this case basic development frameworks/organising diagrams) help provide confidence over delivery (Newark and Sherwood).

Policy Wording

- Policy wording should be suitably flexible so as not to unnecessarily preclude development in certain areas or to be too prescriptive in terms of the phasing of development (Newark and Sherwood)
- Policy wording should be suitably flexible to take account of economic viability (Milton Keynes).

- Assumptions on build-out rates and what amount of housing and commercial floorspace could be delivered over a plan period need to be realistic, reasonable and deliverable (East Hampshire and Plymouth)¹.
- Allocations' policies should be drafted with reasonable flexibility to allow for scheme development and financial viability in changing economic circumstances, avoid spurious accuracy when quoting figures and avoid unnecessary detail (Winchester).

Other

- Need to fully understand mineral extraction/land reclamation issues, where relevant, (including timetable, costs, impact on masterplan and impact on investor confidence) (East Hampshire).

¹ Please see ATLAS notes on build-out rates from Strategic Sites (July 2013)

Strategic Sites Deliverability Advice note

Appendix 1: Detailed Findings of Review

<p>Local Planning Authority: Central Lancashire Authorities (Preston City Council and South Ribble and Chorley Borough Councils)</p>	<p>Name of Inspector: Richard E Hollox</p>
<p>Development Plan: Draft Central Lancashire Core Strategy</p>	<p>Decision: Sound, subject to additional modifications. Inspector's Report 07-06-12</p>
<p>Background Hearings in June and July 2011 and March 2012 – substantially before the repeal of the North West of England Plan, the publication of the NPPF or the 'duty to co-operate'.</p> <p>Overall Approach Concentrate growth in the Preston/South Ribble Urban Area, focussing on regeneration opportunities in:</p> <p>3 x Strategic Locations (as broad locations where precise boundaries have not yet been defined, but which are central to the achievement of the Core Strategy)</p> <ul style="list-style-type: none"> • Central Preston Strategic Location (including City Centre, Inner East Preston, Thithebarn Regeneration Area and the new Central Business District) • North West Preston (including Higher Bartie and Broughton/Land at Eastway <i>(addition)</i>) • South of Penwortham and North of Farington <i>(addition)</i> <p>4 x Strategic Sites (allocated in the plan) at Buckshaw Village; Cuerden; BAE Systems, Samlesbury; and Cottam <i>(previously a Strategic Location)</i>.</p> <p>Subsequent separate Site Allocations DPD or individual AAPs would follow to allocate further sites and establish implementation proposals for the strategic locations.</p> <p>Key Relevant Issues</p> <p><u>1. Effectiveness of the vision and proposals for growth (including proposed Strategic Locations and Sites)</u></p> <ul style="list-style-type: none"> • The above 'overall approach' includes a number of changes proposed by the Councils at Examination stage and supported by the Inspector's proposed modifications. This included: <ul style="list-style-type: none"> ○ Making Cottam an allocated Strategic Site rather than a Strategic Location (existing allocation, partly developed, resolution to grant permission on part and another part subject to an outline application). The Inspector agreed referring to the sites combined size, substantial contribution to housing requirement and advanced nature of proposals; ○ Identifying two additional Strategic Locations. The Inspector referred to their proximity to the main built-up area and consequential access to services, particularly public transport and the potential for their improvement to wider benefit. These were supported by the majority of house builders at the Hearings and the Inspector noted that this "bodes well for deliverability." • The Inspector notes that the Council's evidence on infrastructure requirements has been thoroughly assessed and not seriously challenged – with the County and Highways Agency (HA) supporting the proposals in principle (on the proviso that they will necessitate major additions to transport infrastructure). This was in the face of some quite serious reservations by the County and HA. The Inspector supported the County's proposal to add supporting text making it clear that a Highways and Transport Master Plan was a prerequisite to informing the production of detailed proposals for supporting infrastructure, to be set out in the proposed Site Allocations DPD, but did not consider that this was essential. • The Inspector referred to examples of where permissions for new housing had secured financial contributions towards improvements to a motorway junction referring to "the track record so far is good" and "these examples install confidence that the Councils will secure reasonable contributions..." 	

- When discussing locations of growth in other places, the Inspector refers to the strength of a Strategic Sites and Locations Assessment which sets out the reasoning behind their selection as well as the reasons why other sites/locations have not been favoured (including descriptions and a comprehensive criteria-based analysis).
- Support for proposed modifications that explain monitoring and contingency arrangements should housing delivery fall below 80% of the housing requirements over a 3 year rolling average (e.g. phasing policies could be changed in the proposed Site Allocations DPD to help bring forward uncommitted development, closer management of delivery with partners and bringing forward additional/alternative sites for housing).

2. Delivery and monitoring

- The Inspector commends the Infrastructure Delivery Schedule (IDS) as a 'living document' that accepts the need for consultation, monitoring and updating and for being realistic in its acceptance of uncertainty. The report uses examples that give weight to the Councils' commitment and progress to date and accepts that the "inevitability of changes in financial circumstances" on various projects. The Inspector also stresses the importance of the proposed monitoring framework.

3. Effectiveness in meeting local housing needs

- There were calls for certain land in the proposed two additional Strategic Locations that benefitted from planning permission or a great deal of preparatory work to be classified as Strategic Sites. The Inspector concluded that this would be premature given the proposal to prepare a Sites Allocations DPD and that there is nothing in principle to prevent a planning application being made for land within a Strategic Location. "The balance of advantage is with the identification of Strategic Locations as a precursor to the judicious definition of actual sites."

4. Effectiveness in meeting special housing needs, including affordable housing

- The Inspector supports proposed modifications to the affordable housing policy to make clear that it is sought, not required, and that it is a platform for negotiations over viability and tenure split etc.

Lessons:

- It is not essential that all necessary transport infrastructure is identified before designating a Broad Location, providing that the highway authorities (County and Highways Agency) do not object in principle and that there is a commitment to continue to liaise with all relevant parties in a collaborative way. A process for identifying additional supporting infrastructure (e.g. Highways and Transport Masterplan feeding in to an Allocations DPD) helps provide confidence, but is not essential.
- Evidence of past delivery by LPAs of housing and associated infrastructure helps provide confidence that sites are likely to be delivered in the future.
- A 'Strategic Sites and Locations Assessment' (or similar) can helpfully set out the reasoning behind the selection of proposed sites/locations as well as the reasons why other sites/locations have not been favoured.
- Need process for identification of actual sites within an identified Broad Location via a subsequent DPD or AAP.

Local Planning Authority: Plymouth City Council	Name of Inspector: Andrew Seaman
Development Plan: Draft Derriford and Seaton Area Action Plan 2006-2021	Decision: The Plan does not provide an appropriate basis for the planning of the Area and is consequently not sound. (23-08-13)
<p>Background The Plan was examined in March 2013, prior to the revocation of the Regional Spatial Strategy for the South West.</p> <p>Overall Approach Area Vision Statement in Core Strategy established a vision for the area. The Core Strategy committed the Council to preparing an AAP to deliver this vision. The AAP sets out an approach (including Design Codes, Public Realm Strategy, a Delivery Plan and Consultation Strategy) to deliver approx. 2,950 homes, new commercial, retail and education facilities.</p> <p>Inspector's Key Concerns on deliverability</p> <p><u>Deliverability of sites</u> The Plan is not supported by adequate evidence that demonstrates the timely deliverability of key sites across the Plan period. The report goes through a number of employment and mixed-use sites including the following:</p> <p><i>Policy DS06 - Plymouth International Medical Technology Park (PIMTP) (40,000sqm)</i></p> <ul style="list-style-type: none"> • Insufficient clarity as to how much of the PIMTP site may be acceptably brought forward, due to limitations with the existing transport infrastructure ahead of the Forder Valley Link Road (FVLR) which is not scheduled for effective completion until 2020. • Viability evidence shows that speculative office development is not currently commercially viable. <p><i>Policy DS07 - Tamar Science Park (20,000sqm)</i></p> <ul style="list-style-type: none"> • Evidence prepared in 2009 in more buoyant economic circumstances. Little up to date evidence to suggest that this is deliverable in the short term (what there is suggests not). <p><i>Policy DS13 – Seaton Neighbourhood (Approx. 770 homes, 4,500sqm local centre)</i></p> <ul style="list-style-type: none"> • Lack of clarity on how development would be phased and when the FVLR will be required to enable completion of the entire proposal (Proposal refers to only a small % of homes being permissible ahead of the FVLR). Imprecision undermines the likely effectiveness (notwithstanding that there is a current planning application). <p><i>Policy DS16 - District Centre (approx.8,000sqm)</i></p> <ul style="list-style-type: none"> • Not convinced of the need for a centre and how this would strengthen the role of the PIMTP as a strategic employment site. The loss of this employment land in advance of an update to the city-wide economic evidence base (currently under way) would not be justified. <p>Policy DS08 – Crownhill Retail Park (approx. 80 homes and 2,000sqm offices)</p> <ul style="list-style-type: none"> • Again little evidence that this would be deliverable. <p>Policy DS12 – Glacis Park (15,000sqm offices and 700 homes)</p> <ul style="list-style-type: none"> • Viability evidence does not support the deliverability of the proposed office content. <p><i>Overall</i> Viability and sensitivity testing highlights the challenges faced by office development. The strategy appears aspirational rather than realistically deliverable.</p> <p><u>Uncertainty that necessary modal shift could be delivered</u> The Plan is not supported by evidence to indicate that the timely modal shift necessary to ensure transport infrastructure will be able to accommodate the development proposed within the area can</p>	

be secured. Key issues include:

- A386 close to capacity at peak times;
- Transport modelling shows the limitations of the existing transport infrastructure in accommodating the proposed levels of development, even if subject to capacity improvements. A transformation in travel behaviour is needed (reducing predicted number of car trips from new development by a “very challenging” 50%);
- Highway Agency highlighted doubts that infrastructure proposals would achieve the required modal split; and
- Changing Travel Behaviour (Policy DS17) is in part dependent on the delivery of a range of infrastructure improvements (Policies DS18 and DS19) – which would be delivered over time, so any modal shift would be gradual.

Uncertainty about transport infrastructure

The Plan is not supported by evidence that the transport infrastructure shown within the Plan is deliverable in a “timely fashion”.

Policies DS18 and DS19 outline proposals for 2 x new link roads (FVLR and Marjon Link Road) and improvements to existing highways (junctions, bus lanes, bus stops etc.). Concerns:

- Associated Delivery Framework shows that some key elements would not be delivered until 2020 or 2026;
- Costs of FVLR have risen and it has slipped down the Council’s priorities (partly due to delay in delivery of development);
- Uncertainty as to how the FVLR will complement/serve the anticipated total levels of development proposed at the Seaton Neighbourhood, PIMTP and Seaton Barracks. Lack of “reasonable prospect” of delivery;;
- Funding arrangements unclear (£25m+) – background paper highlighting possible funding sources and previous success at securing funding is not sufficient.
- Assumptions about locally generated funding (s.106, CIL and New Homes Bonus, possible TIF) not convincing, given viability concerns about development and that it is unlikely to come on stream to fund infrastructure at the time it is needed. “Reasonable doubt” as to funding and lack of robust contingency planning (monitoring is not enough – needs to lead to actions that would secure the effective and timely delivery of the Plan).

Lessons:

- Importance of evidence to support infrastructure needed to support development expected to come forward in the next five years
- Build-out rates need to be reasonable and deliverable – taking account of viability.
- Importance of up-to-date evidence on demand
- Need for allocations to be realistically deliverable (not aspirational) – the existence of an undetermined planning application does not negate the need for evidence on deliverability.
- Importance of contingency planning. Monitoring is not enough – need to outline how and what actions would be undertaken to keep the plan on track.

Local Planning Authority: East Hampshire District Council (EHDC) and South Downs National Park Authority (SDNPA)	Name of Inspector: Anthony Thickett
Development Plan: East Hampshire District Local Plan Joint Core Strategy	Decision: Significant concerns, further work required to before the plan could be found sound. Inspector's Letter 23-11-12
<p>Background</p> <p>The Plan was examined in October and November 2012. This was before the revocation of the SE Plan.</p> <p>The Inspector's letter following the Hearings set out a number of concerns and recommended that (amongst other things) the Authorities:</p> <ul style="list-style-type: none"> • Produce an up to date SHMA to assess the need for housing and affordable housing • Subject to the results of that exercise, consider making provision for an increased number of dwellings and/or set out results of discussions with neighbouring authorities in relation to meeting any unmet need in the District • Define the extent to which Whitehill and Bordon is expected to meet need that would not be met in the rest of the District (see discussion below re: Waverley) • Explore the implications of pre extraction on the timetable for the delivery of housing at Whitehill and Bordon. If pre extraction would introduce significant delays in the delivery of new housing at Whitehill and Bordon, assess the impact on the District's 5 year supply of housing and consider whether any immediate shortfall should be met elsewhere (see discussion below) • Produce an updated viability study in relation to affordable housing which takes into account requirements set out by policies in the JCS that may have an impact on viability <p>The Examination was suspended for 9 months to allow for the above. Further Modifications have been published and the Hearings are set to begin again at the end of October 2013.</p> <p>Overall Approach</p> <ul style="list-style-type: none"> • Strategic Allocation of Whitehill and Bordon (4,000 homes and 5,500 jobs) – specific policy with proposed land-use budget and references to masterplan, a specific transport strategy and specific infrastructure requirements) • Central Hampshire to accommodate 4,400 homes and South Hampshire to accommodate 1,320 homes – some site referred to, but not allocated, with reference to other sites being identified through a separate Development Allocations DPD or Neighbourhood Plans <p>Whitehill Bordon Strategic Allocation</p> <p><u>Key evidence on delivery:</u></p> <ul style="list-style-type: none"> • Interim Statement and Infrastructure Schedule (CD11/E13) - sets out specific infrastructure requirements for Whitehill Bordon (total cost estimated as approx. £215m). • Viability Assessment of Whitehill and Bordon Eco-town Masterplan (CD11/WBV02) – based on a set of key assumptions and sensitivity testing. • A comprehensive Statement of Common Ground between EHDC/SDNP and Whitehill & Bordon Eco-Town Landowners' Group (CD12/SOCG5) addresses the following: <ul style="list-style-type: none"> ○ Memorandum of Understanding between landowners ○ Existence of a Delivery Board ○ Existence of an overall Eco-town masterplan ○ Commitment to submit an outline application ○ Representations made, issues agreed and proposed modifications ○ Areas of LoG support for the plan (including that LoG would not be solely responsible for/pay for the delivery of the entire town and that some form of public sector investment of funding is needed to facilitate delivery of the project – particularly in terms of necessary early infrastructure). ○ Agreed approach to addressing viability and delivery issues. <p>EHDC revised its housing trajectory for the proposed new 'Eco-town', with a more conservative</p>	

estimate of 2,725 homes being built over the plan period (up to 2028) (with a peak of 270 homes per year) (EHSD024).

Key Inspector Decisions

- The four year old SHMA was out of date and needed updating.
- The more recent Local Housing Requirements Study includes figures that do not include any unmet requirements from neighbouring authorities, although Waverly Borough Council had explored whether its unmet need could be accommodated at Whitehill Bordon.
- Not convinced by a Statement of Duty to Co-operate (CD4/30) that acknowledged that the allocation may accommodate people who live or would desire to live in Waverley, but that it “would currently be unreasonable to formally state this.” The Inspector considered that it may be acknowledged in the future that Whitehill and Bordon would provide houses to satisfy unmet need in Waverley.
- A significant part of the Whitehill Bordon allocation site lies on top of soft sand and Policy MWP of the proposed plan safeguards this resource. The Inspector considered that extraction would not be a simple matter and that it would inevitably delay the provision of some of the housing (and the new town centre). He was also concerned that the requirement for prior extraction would be likely to have an impact on how attractive the town is to private investors. He was not satisfied that a hybrid outline/full application in 2013 would allow prior extraction to be investigated. He thought that it needed to be investigated at the plan stage.

Lessons:

- Need for up-to-date evidence relating to the objectively assessed housing requirement.
- Assumptions on build-out rates and what amount of housing could be delivered over a plan period need to be realistic
- Importance of duty-to-co-operate issues for those SSAs/Broad Locations that are close to District boundaries
- Comprehensive evidence from promoters/landowners is important in building confidence and addressing uncertainty.
- Need to fully understand mineral extraction/land reclamation issues, where relevant, (including timetable, costs, impact on masterplan and impact on investor confidence)

Local Planning Authority: Fareham Borough Council	Name of Inspector: Michael J Hetherington
Development Plan: Draft Fareham LDF Core Strategy	Decision: Sound, subject to additional modifications. Inspector's Report dated 20-07-11

Background

The Plan was examined in May 2011, prior to the revocation of the South East Plan, the publication of the NPPF and the Duty to Cooperate.

Overall Approach

- The plan included four strategic sites, two coming forward as strategic allocations (to be followed by subsequent SPDs) and two as strategic locations (to be followed by AAPs)
- The most significant and challenging component of the plan was a strategic location for the North of Fareham Strategic Development Area (SDA) comprising of 6,500-7,500 residential units, employment, community facilities and associated infrastructure.
- The approach to the SDA was to establish a site specific policy for the location including general quantum of development together with development principles, and a commitment to prepare a site specific AAP to confirm the boundary, formally allocate the site and resolve outstanding matters (including detailed infrastructure requirements)
- The underpinning rationale for the SDA primarily related to strategic growth needs, derived and agreed through regional and sub-regional planning processes.

Evidence & consideration of the North of Fareham Strategic Development Area as to whether it was realistic, deliverable, adequately justified, consistent with sub-regional policy and in general conformity with the Regional Strategy

- The Inspector recognised the significance of the SDA to the overall plan and focussed attention on the Council's approach and level of evidence that had been prepared to justify it.
- The Council had undertaken a range of detailed studies, supplemented by work done by the promoters and therefore a considerable amount of information was available to consider core deliverability considerations including detail on site constraints, capacity, viability and the position of landowners.
- The Inspector initially focussed on conformity, given that the South East Plan had originally considered the site could provide up to 10,000 homes and related employment space. The Inspector was satisfied that there was sufficient justification for the minimum 6,500 homes in light of evidence on constraints and capacity. As there were still a number of factors that could influence overall numbers, defining a range was considered an appropriate approach.
- The site was being promoted by several separate landowners who prepared other evidence for use as part of the examination process. The most significant was the preparation of a strategic masterplan by the promoters, which illustrated a number of potential options as to how the site could come forward in light of site constraints and different access approaches. The intention was to take forward master planning as part of the subsequent AAP process.
- The Council had prepared a 'Project Plan' as part of its evidence base to set out the approach to governance, decision making and joint working across a range of technical themes. This provided evidence that a structured and collaborative structure was being followed to take the site forward, including an overall Project Board, led by the Council but with wider public and private sector representation (including the landowners).
- Transport infrastructure was a particular issue, as the site sits adjacent to the M27. At the time of the Examination there was not an agreed or preferred access solution, as alternative motorway junctions could be used, which in turn would influence whether additional strategic highway connections might need to be put in place. Transport modelling work had not been completed.
- Despite this, the Inspector considered that a significant amount of work had been undertaken to explore the SDA's transport implications including considering different options for site access and evolving an agreed strategy and approach to work through issues between the site promoters, Highways Authority and Highways Agency.
- Of particular significance was that the key stakeholders had not challenged the soundness of the

proposal at this stage despite the transport uncertainty, and that in the absence of any substantive evidence to the contrary, the Inspector had no reason to disagree with the position of the transport bodies concerned.

- In light of highway solutions not yet being fixed and related implications on layout/uses on the site, the Inspector did require modifications to the plan's text and key diagram to retain flexibility subject to the outcomes of subsequent work as part of the AAP.
- The proposed level of housing relied upon some green infrastructure being located in neighbouring Winchester City Council (WCC). WCC were concerned about any built development or formal open space uses within its boundary, but that other forms of green infrastructure would be acceptable in principle. WCC were represented on the Project Board and hence would play a role in future planning for the site. The Inspector concluded on this point that this did not pose a significant barrier to effective delivery, and that the governance structure was a particularly useful aspect of building confidence.
- The Council had undertaken a high level viability study relating specifically to the SDA. This drew together cost information from the promoters with market information on values. This concluded that there was a reasonable prospect that the scheme would be viable, subject to improvements in market conditions, the scale of development that came forward, and scope of partnership approach to delivery. However, the Inspector stated that he was only able to place limited weight on the Council's viability work as key assumptions and related financial figures had not been made public within the report and hence could not be scrutinised.
- The Council had also acknowledged that whilst the viability study was indicating a positive outcome, there would still be issues in terms of upfront funding, cash flow and the role of potential wider funding sources. The Council prepared studies to consider possible funding options including concepts related to pooling S106 obligations, future CIL receipts, and possible additional mechanisms such as Tax Increment Financing. The work established that there were various options and a willingness from the Council to act proactively going forward.
- In conclusion, the Inspector recognised that whilst there were a range of concerns, many of these were detailed matters that could be more appropriately considered in the context of the AAP. He also acknowledged that other relevant authorities were not identifying any 'show stoppers' sufficient to undermine the principle of the proposal.

Lessons

- Uncertainty in terms of specific infrastructure works or their funding is not fatal; as long as a reasonable level of work has been done to show that there are options to address issues, and the key relevant stakeholders have not objected or identified (with evidence) potential show stoppers.
- Whilst the Core Strategy was the place to make the key in principle decisions, future planning stages could confirm details and resolve matters that may be outstanding.
- Evidence needs to be transparent and available for scrutiny for it to be given weight
- Demonstrating an approach to project governance, involving all the key parties, is helpful to give confidence that issues can be addressed collaboratively

Local Planning Authority: Halton Borough Council	Name of Inspector: Robert Yuille
Development Plan: Draft Halton Core Strategy Local Plan	Decision: Sound, subject to additional modifications. Inspector's Report 12-10-12
<p>Overall Approach</p> <ul style="list-style-type: none"> • 4 key Areas of Change • Some but not all sites formally allocated as Strategic Sites (Broad identification of infrastructure requirements) • Commitment to prepare future Site Allocation and Development Management DPD • Commitment to update existing SPD for some sites <p>Issue 5 – Development in the plan period will be focused on four Key Areas of Change at 3MG, South Widnes, West Runcorn and East Runcorn. Is the selection of these areas justified and are they deliverable?</p> <p><u>3MG, South Widnes, West Runcorn</u></p> <ul style="list-style-type: none"> • No insurmountable flooding problems – their selection or ability to deliver has not been seriously challenged. <p><u>East Runcorn</u></p> <ul style="list-style-type: none"> • Question about deliverability of employment areas at Daresbury Park and Daresbury Science and Innovation Campus – Modifications required (relatively minor text changes relating to land around a proposed vehicular route). • A bigger concern related to necessary junction improvements to Junction 11 on the M56. A complex series of improvements are secured by planning obligations. However, these do not trigger payments until schemes to which they reach a certain threshold. The problem is they are needed to accommodate other development (AS7), meaning that the deliverability of other development is dependent on thresholds being reached/financial contributions being made. Recommended modifications include making clear that alternative methods of funding that would enable the necessary improvements to be carried out ASAP are to be explored. 	
<p>Lessons</p> <ul style="list-style-type: none"> • Infrastructure required to support new development at SSAs may also be required to support new development elsewhere. 	

Local Planning Authority: Melton Borough Council	Name of Inspector: Harold Stephens
Development Plan: Draft Melton LDF Core Strategy	Decision: Plan withdrawn following the Inspector's preliminary conclusion that it was not sound. 19-04-13
<p>Overall Approach</p> <ul style="list-style-type: none"> • SUE to Melton Mowbray (1,000 homes up to 2026) (reference made to preparing an AAP for the SUE) (specific infrastructure identified in policy) • Other housing sites in Rural Centres and Sustainable Villages to be allocated in a future Land Allocations and Settlement Boundaries DPD <p>Examination</p> <p>An EiP into the published Core Strategy began in February 2013. Following sessions on spatial strategy and housing, the Inspector wrote to the Council in early April 2013 making clear that he thought that there were matters of fundamental concern which could not be overcome through changes/modifications. The concerns were as follows:</p> <ul style="list-style-type: none"> • The Plan was not based on a strategy which seeks to meet objectively assessed development and infrastructure requirements; • Inadequate plan period of 13 years at most; • Inadequate evidence to substantiate the apportionment of 80% of total development to Melton Mowbray and 20% to Rural Centres and Sustainable Villages; • The proposed SUE to the north of Melton Mowbray would have an unacceptable impact on landscape, agricultural land and biodiversity (reasonable alternatives, including a western growth option, were not fully considered) and would not be deliverable • Concerns about Sustainability Appraisal and process. <p>In the face of such fundamental concerns, the Council withdrew the Plan.</p> <p>Deliverability Issues</p> <p>The Plan was withdrawn before the EiP could consider all of the delivery matters in detail. Furthermore, the Inspector's letter does not refer to specific pieces of evidence that he found unsatisfactory. However, discussion under the headings below attempts to unpick the Inspector's concerns. It should be noted that Melton Mowbray Town Estates (part of the Pegasus Group) made representations promoting an alternative Southern SUE.</p> <p><u>Timescale and viability</u></p> <ul style="list-style-type: none"> • The timescale for the delivery of the northern SUE is unrealistic and the proposal has not proven to be viable (para 173 of NPPF). There is no detailed analysis of viability (including the provision of infrastructure, s.106 requirements and normal site development costs). • The Council had commissioned Halcrow to prepare a concept strategic masterplan and phasing plan (the Preferred Option Report). This proposes 280 homes in Phase 1 (2013-17), 400 homes in Phase 2 (2017-21) and 320 homes in Phase 3 (2021-26). No apparent evidence base on housing delivery – reliance on brief assertions in Halcrow document. Landowners/ developers did attend the Hearing, but there was no discussion of housing delivery. • The only viability evidence appears to be a high level report into all growth options (not specifically a Northern SUE) prepared by Savills in 2009. The Council did submit an Alternative Sources of Funding Note (EX19) which discusses options, s.106, CIL and various Government pots. The Inspector clearly considered these reports to be insufficient. <p><u>Inadequate requirements in Infrastructure Delivery Plan</u></p> <ul style="list-style-type: none"> • The requirements in the IDP are not adequate to meet the Police's infrastructure requirements in conflict with para 182 of NPPF. • The Leicestershire Constabulary made representations and appeared at the Hearing in to the proposed Northern SUE. It claimed lack of effective engagement and the inadequacy of apportionment of infrastructure costs of £230,000 (Infrastructure Schedule Update, SD10a), when the figure was more like £408,000. 	

- The infrastructure costs attributed to the Northern SUE as a whole were £19.08m (including £13m for link road and Spinney Road upgrade).

Transport

- Traffic studies suggest that a southern bypass to support a southern SUE would provide similar traffic mitigation benefits to the town and would be equally deliverable. Furthermore, a southern SUE bypass would avoid potential environmental impacts and would be cheaper.

Lessons:

- Importance of sufficient information to demonstrate likely financial viability.
- Need to demonstrate adequate engagement with infrastructure providers over infrastructure requirements and for these to be reflected in the plan/IDP.

Local Planning Authority: Milton Keynes Council	Name of Inspector: Mary Travers
Development Plan: Draft Core Strategy	Decision: Sound, subject to additional modifications. Inspector's Report 29-05-13
<p>Overall Approach 2010 to 2026 target = 28,000 homes 2010 to 2016 = 10,500</p> <ul style="list-style-type: none"> • 4,177 already built (2010-2013) • 19,759 on existing sites (existing Allocations/sites with planning permission) • 2,900 from new Strategic Land Allocation to south east of City (to be supported by an SPD) • 1,760 in sustainable settlement in rural area – with a future Site Allocations Plan to identify 600 homes <p>Housing Delivery:</p> <ul style="list-style-type: none"> • Some discussion about proposed delivery rates in relation to historically achieved rates, the former targets in the South East Plan, the changed economic climate and land supply. • The Inspector appears to have placed significant weight on the availability of an up-to-date housing trajectory and evidence of consultations with landowners and developers (Gallagher – Western Expansion Area, PfP – Brooklands, HCA – 400+ha land portfolio and Barratt Homes – Central MK) (MKC/8). • Further evidence in the form of Statements of Common Ground with other landowners/developers (The Burford Group and Merton College and Connolly Homes is included in MKC/11). • Nevertheless, the Inspector considered that the annual housing target of 1,750 homes should be expressed as a minimum and that Plan should commit to an early review. <p>Transport:</p> <ul style="list-style-type: none"> • The Inspector refers to the considerable volume of evidence – including a Local Transport Plan and modelling (both outlined in MKC/10). Significantly, the modelling results demonstrated that whilst the highway network operation is worse than at present it is “broadly reasonable” in that the network still operates effectively and efficiently (assuming that existing trends in car usage and modal share were to continue). • It highlights 24 problematic junctions that would operate beyond their designed capacity, but the Local Investment Plan identifies necessary remedial work. However, the Council set out its objectives to manage down road traffic by way of a series of softer interventions (behaviour change) to deliver a modal shift from car to cycling/walking/public transport. The Inspector accepts that the balance is about right between car and more sustainable modes. <p>Environmental Standards/Decentralised Energy (DE):</p> <ul style="list-style-type: none"> • Evidence on the technical feasibility and economic viability of policies on these issues did not stand up to scrutiny and the Council proposed modifications to tone down policy requirements – making reference to economic viability in relation to standards and requiring only consideration of DE. <p>Place-shaping principles for SUEs in adjacent Local Authorities</p> <ul style="list-style-type: none"> • The Inspector was satisfied with Policy CS6, which sets out principles of development during the joint working on planning, design and implementation – with emphasis on delivery. <p>Infrastructure Delivery:</p> <ul style="list-style-type: none"> • The Inspector noted that the MK Tariff for the Eastern and Western Expansion Areas is a strength – with a £/per unit contribution and forward funding from the HCA. The Council has a Planning Obligations SPD in place for other areas. The Inspector acknowledges that in future CIL may yield less funding than the Tariff and that reductions in Government funding and in benefits-in-kind works carried out by developers may increase the funding gap. • The Inspector appears to have put considerable weight on the Council’s “very strong track record” in planning and delivering infrastructure and the sound financial planning, risk management, co-ordination and delivery arrangements that are in place. 	

- MKC/13 outlines the use of a Programme Management Board, Joint Delivery Teams and Local Investment Plan. The Inspector also welcomed Section 18 of the Plan which identifies the relationship between development milestones and the provision of infrastructure.
- Although the Inspector does not comment on it, Appendix D of the Plan provides a useful explanation of the School Place Planning process.

Lessons:

- Evidence of consultation with landowners and prospective developers is important.
- Policy wording should be suitably flexible to take account of economic viability.
- Evidence of past delivery by LPAs of housing and associated infrastructure helps provide confidence that sites are likely to be delivered in the future.

Local Planning Authority: Newark and Sherwood District Council	Name of Inspector: Michael J Hetherington
Development Plan: Draft Newark and Sherwood Core Strategy	Decision: Sound, subject to additional modifications. Inspector's Report dated 11-03-11
<p>Background The Plan was examined in November and December 2010, prior to the revocation of the Regional Strategy for the East Midlands, the publication of the NPPF and the Duty to Cooperate. The Core Strategy Examination pages (including documents) are no longer available on the Council's website.</p> <p>Overall Approach</p> <ul style="list-style-type: none"> • Strengthen the role of Newark as a Sub-Regional Centre by ensuring that the town is the main focus for new housing etc. (70% of overall growth) • Address regeneration and growth needs by focusing remaining growth in Service Centres (20% of overall growth) and Principal Villages (10%) • Deliver SUEs in Newark through the allocation of three strategic sites (South of Newark, East of Newark and Fernwood). The separate policies and justifying text for these SSAs makes reference to specific infrastructure requirements needed to deliver them (also set out in an appendix of a separate Infrastructure Delivery Plan (IDP)) as well as assumptions on phasing and build-out rates • Identify other sites to meet needs in a separate Allocations and Development Management DPD (adopted in July 2013). <p>Matters 11/12 Strategic Sites.</p> <p>i) Is there robust and realistic evidence to justify the nature and extent of the site designations and proposed distribution of uses?</p> <p>ii) Are the locations and sitings suitable, sustainable and appropriate?</p> <ul style="list-style-type: none"> • The Inspector recognised the significance of the strategic sites to the overall plan. He was satisfied (amongst other things) that an analysis of the physical, social and environmental infrastructure needed to support the proposed amount of development had been undertaken in the separate IDP and that this had influenced the proposed mix and distribution of uses. • The Inspector was satisfied that the District Wide Transport Study and associated traffic modelling had established the need for a Southern Link Road (SLR). <p>Matters 11/12 Strategic Sites</p> <p>iii) Can the proposals be delivered or are there any significant constraints?</p> <p>iv) Is the impact on the local areas acceptable in principle?</p> <p><u>South of Newark</u></p> <ul style="list-style-type: none"> • The Inspector referred to the long-standing nature of the proposals (being endorsed at previous Local Plan Inquiries) and the advancement of the proposals through various studies – including the Strategic Flood Risk Assessment and SLR design work. • Reference made to information submitted in support of current planning applications (including an Environmental Statement) • The IDP was discussed at the examination hearing and held up to scrutiny – giving the Inspector confidence about delivery of infrastructure • The Inspector noted that new facilities and services should also provide tangible benefits for existing residents of Hawtonville (one of the most deprived wards in the District). • The Inspector noted that following the competition of the proposed SLR, cumulative traffic generation impacts on other parts of the road network could be left to be addressed through a Transport Assessment (TA) connected with specific proposals. <p><u>East of Newark</u></p> <ul style="list-style-type: none"> • New road links should be from the north, obviating the need for additional use of local level rail crossings on the East Coast Main Line (ECML). • Discussion at the Examination established common ground that the policy wording should be more flexible and that there was no need to preclude all development in a certain part of the site • The Inspector noted that additional traffic movements on the surrounding road network and 	

mitigation could be left to be addressed as part of a TA in the context of specific proposals.

- The Inspector noted that the masterplan in the plan was indicative only and that the Council acknowledged that there was not a need to impose detailed phasing limits; concluding that such matters are best finalised and implemented in the context of site specific proposals.
- The Inspector was not convinced by Network Rail's request that an existing level crossing be replaced by a new bridge; accepting that the likely direct cost (£8 - £10m) and practical implications (land acquisitions, embankments close to existing homes and temporary rail closures) would be disproportionate and would need to be met by a larger development/extended SSA. He concluded that the proposed site could satisfactorily provide the required number of homes and that requiring a larger development was neither reasonable nor economically realistic.

Land at Fernwood

- Indicative masterplans respond to strong physical boundaries (including the A1 and ECML – with associated noise – and high voltage electricity line) and flood risk zones confirm that the proposed SUE is sufficiently large to provide the required number of homes.
- The Inspector noted the opportunity to incorporate a secondary school in the SUE to serve it and the wider area (N.B whilst the Infrastructure schedule for Newark lists the need for 1 x secondary school, this is not ascribed to any one of the SSAs).
- Again, the Core Strategy should not be prescriptive about phasing
- Again, the Inspector noted that additional traffic movements on the surrounding road network and mitigation could be left to be addressed as part of a TA in the context of specific proposals.

Matters 11/12 Strategic Sites

v) Can the proposals be delivered or are there any significant constraints?

- The Inspector noted that delivering an average of 150 new houses per year on each of the three SSAs would be no easy task.
- Nevertheless, each site was large enough to facilitate construction by three or more housebuilders and the lack of need to directly restrict total numbers in relation to the SLR would help provide flexibility.

Lessons

- The inclusion in the Plan of illustrative 'masterplans' (in this case basic development frameworks/organising diagrams) help provide confidence over delivery.
- Detailed traffic effects and associated mitigation are matters that are capable of being left to be determined by Transport Assessments associated with specific proposals.
- Policy wording should be suitably flexible so as not to unnecessarily preclude development in certain areas or to be too prescriptive in terms of the phasing of development.
- Opportunity to improve facilities/services for existing residents as well as provide for future residents is a relevant consideration.

Local Planning Authority: Tamworth Borough Council	Name of Inspector: David Vickery
Development Plan: Draft Tamworth Local Plan (2006-2028)	Decision: Plan withdrawn following the Inspector's recommendation. 05-04-13
<p>Background</p> <p>The Inspector set out his key concerns about the Plan on 22-01/13, in advance of the Preliminary Meeting on 12/02/13. Following the meeting, the Council offered to provide additional evidence and make a number of modifications to address the Inspector's concerns. However, the Inspector later confirmed that he thought the necessary work to make a sound plan might open it up to legal challenge. In the face of this, the Council formally withdrew the Plan.</p> <p>Overall Approach</p> <ul style="list-style-type: none"> • Strategic Housing Allocation of Amber Valley Sustainable Urban Neighbourhood (at least 1,150 homes) (specific infrastructure requirements identified) • Potential future Broad Development Location to north of the above site (in Lichfield and North Warwickshire) (at least 1,000 homes) (necessary infrastructure to be identified) • Other un-allocated sites identified in SHLAA <p>Inspector's Key Concerns</p> <p>The key concerns relating to effectiveness were as follows:</p> <p><u>Distribution of Housing</u></p> <ul style="list-style-type: none"> • The SHMA (B8) proposes a certain geographical distribution of housing around wards, but the Plan does not achieve this. <p><u>Allocations</u></p> <ul style="list-style-type: none"> • There is only one clear housing allocation (SP6 Anker Valley strategic site). The Plan 'identifies' other sites, but devolves important decisions to future SPDs. The Inspector thought that the Council should either formally allocate the sites for housing or clarify that later Local Plans will be prepared for these sites (not SPDs) • Some large sites in the SHLAA (B8) are not allocated in the Plan for housing (some are allocated on the Policies Map for open space). The Inspector thought that the Council should allocate the necessary SHLAA sites in the Plan • Several of the sites in the 2001-2011 Local Plan appear to 'lapse' their housing allocations in this Plan and also have deliverability problems e.g. access and contamination. Should these allocations be continued in this Plan? If not, why not? Are the sites actually deliverable given the acknowledged problems and the fact that they have not yet been implemented despite previous allocation? Where is the financial viability information to indicate their deliverability? <p><u>Residential Development</u></p> <ul style="list-style-type: none"> • Much more information is needed for the allocated Anker Valley site. The Plan should establish the principles (constraints, land uses and scale, necessary infrastructure and number of homes that could be provided before the proposed link road, what needs to be provided by when and who will fund and deliver it and milestones for progression of development). An indicative masterplan would help. • The Housing Trajectory (K4) is unclear about numbers, where and when all the required housing will be accommodated in the Plan period. This should include the 1000 homes which would be provided in other LPAs (Lichfield and North Warwickshire). • Lack of detail in Plan to guide the principle, timing and impact of the 1000 homes that would be built outside of the Borough. This includes details of impacts, necessary infrastructure and whether highways can cope (the proposed homes appear to be omitted from the Highway Agency's Modelling Report (F2)). • Concern that the proposed 500 homes in North Warwickshire would be dispersed and not physically related to Tamworth. Could such housing be seen as part of Tamworth's housing supply? 	

- Some representations argue that the Council has under-allocated sites. If true, this would exacerbate problems.

Deliverable and so effective

- The Infrastructure Delivery Plan (Appendix 6 of Plan) does not detail all of the significant infrastructure costs associated with the Anker Valley site (link road/s, rail bridges, schools, health etc.). It is not clear what infrastructure is needed before each phase could proceed. The need for the link road and a transport link is a key matter of principle that needs to be resolved before allocation
- Very little information on financial viability of infrastructure costs
- Particular concern that the Amber Valley site does not have an overall viability assessment to demonstrate that it can actually be delivered. The viability assessment in E2 is not up-to-date or comprehensive.
- Concerns over Anker Valley are heightened because (a) the site is due to make an early contribution to numbers and (b) the site is allocated in the current plan, with no signs of progress.

Flexibility

- Too much pinned on the Anker Valley site; given concerns about deliverability this is too risky. Appendix 4 of Plan does not provide effective flexibility or contingency planning.

Duty to Co-operate

- Whilst Memorandum of Understandings exist with neighbouring Lichfield and North Warwickshire for each to provide 500 homes of Tamworth's need, there is no evidence of infrastructure implications this would have on Tamworth or of impacts the development would have on the host Boroughs.

Lessons:

- Proposed Allocations need to be based on a thorough understanding of evidence in in the SHMA, SHLAA and an assessment of the effectiveness of carrying forward previously allocated sites (which have not delivered despite allocation).
- Need for sufficient housing sites to be allocated in Plans themselves, rather than the promotion of sites identified in the SHLAA by way of SPDs (which is uncertain/risky).
- Allocations need to establish key principles (including constraints, land uses and scale, necessary infrastructure, thresholds for the delivery of infrastructure, funding, delivery and milestones) and masterplans can help achieve this.
- Importance of sufficient information to demonstrate likely financial viability.
- If relying on the delivery of additional housing in a neighbouring authority to help meet the objectively assessed housing requirement, such housing should be physically related to the District and there needs to be sufficient evidence to demonstrate likely delivery (including mitigation of likely impacts on the host and exporting authorities, infrastructure requirements and financial viability).

Local Planning Authority: Taunton Deane Borough Council	Name of Inspector: John R Mattocks
Development Plan: Taunton Deane Core Strategy 2011-2028	Decision: Sound, subject to additional modifications. Inspector's Report 03-07-12
<p>Background The Plan was examined in February 2012, prior to the revocation of the Regional Strategy for South-West England, the publication of the NPPF and the Duty to Cooperate.</p> <p>Overall Approach</p> <ul style="list-style-type: none"> • Strategic Sites (Allocations) for sites in Taunton and Wellington to deliver 5-year housing requirement (specific infrastructure requirements identified) • Broad Locations for growth identified at Staplegrove and Comeytrowe/Trull to deliver growth after 2015 (emphasis on masterplanning to identify and deliver infrastructure requirements) • Commitment to prepare a future Site Allocations and Development Management DPD to Identify Strategic Sites in <ul style="list-style-type: none"> ○ Broad Locations ○ Major Rural Centres ○ Minor Rural Centres and ○ Review allocations in adopted Taunton Town Centre AAP <p>Topic Area 5 – Deliverability, Transport and Infrastructure</p> <ul style="list-style-type: none"> • The Inspector considered that the Infrastructure Delivery Plan (IDP) provides sound support for the strategy – accepting that it focusses primarily on the first five years. • The IDP identifies essential requirements for strategic allocations at Monkton Heathfield and Priorswood/Nerrols (with developers of the Monkton Heathfield SUE supportive, despite a 'roof tax' of £20,000 per home. • Reference made to much more information on infrastructure requirements and hence deliverability being provided by the development consortium behind a scheme for part of the Comeytrowe broad location. • The Inspector accepted the need for capacity enhancement at Junction 25 of the M5 - no discussion about assessment/impacts, but reference to a Statement of Common Ground with the Highways Agency. He also accepted the reference in the Plan to uncertainty about the possible need for an additional motorway junction to the north-east of Taunton and the inclusion of "...the scale of growth proposed for Taunton suggests that the position should be kept under review." <p>Topic Area 6 – The spatial strategy, Taunton strategic sites and broad locations</p> <ul style="list-style-type: none"> • Some discussion about a Habitats Regulation Assessment (HRA) and the need for the timely provision of mitigation measures (replacement habitat) for bats (replacement planting needing to be functional before habitat loss). The Inspector accepted evidence in the HRA and evidence that supported applications that timescales for delivery of strategic sites and one of the 'broad locations' was acceptable. • Existence of a masterplan and protocol setting out intended delivery programme and developer representations convince the Inspector that delivery on the Monkton Heathfield site is likely to be at least as rapid as that assumed in the housing trajectory (despite slippage). • Crown Estates suggested that development may be more rapid than assumed in the housing trajectory at Priorswood/Nerrols • In terms of proposed allocations, the Inspector accepts that there must always be a degree of uncertainty about delivery – but refers to representations from the development industry and extensive studies as confirming that the strategy is likely to be effective • In terms of two 'broad locations' for urban extensions at Staplegrove and Comeytrowe <ul style="list-style-type: none"> ○ Important distinction from allocated sites (less detail on precise development requirements and infrastructure provision) ○ Need to allocate sites within the 'broad locations' asap in order to ensure that there is a realistic prospect of development taking place in accordance with trajectory/provide contingency) ○ Policies SS6 and SS& for the two broad locations require masterplans to identify 	

infrastructure requirements (supported approach – on the basis that this should include all developers/landowners and the Council). The policy also makes clear that piecemeal development would not be acceptable.

- Concern expressed about sustainable transport package to support
- Support for modifications to refer to the Site Allocations and Development Management DPD to enable formal allocations asap

Lessons:

- Uncertainty in terms of specific infrastructure works is not fatal; as long as a reasonable level of work has been done to show that there are options to address issues, and the key relevant stakeholders have not objected or identified (with evidence) potential show stoppers.
- Comprehensive evidence from promoters/landowners is important in building confidence and addressing uncertainty.
- Indicative masterplans are helpful in building confidence over deliverability.
- The Core Strategy, which does not in itself allocate sites, needs to commit to the preparation of the early production of a subsequent development plan that allocates sites within identified Broad Locations in order demonstrate that there is realistic prospect of development taking place (Taunton Deane).

<p>Local Planning Authority: Winchester City Council and South Downs National Park Authority</p>	<p>Name of Inspector: Nigel Payne</p>
<p>Development Plan: Winchester District Local Plan Part 1 – Joint Core Strategy</p>	<p>Decision: Sound, subject to additional modifications. Inspector’s Report 11-02-13</p>
<p>Background The Plan was examined in October and November 2012. This was before the revocation of the SE Plan.</p> <p>Overall Approach Focus new development in Winchester Town, South Hampshire Urban Areas and Market Towns and Rural Areas.</p> <p>Strategic Housing Allocations:</p> <ul style="list-style-type: none"> • North Winchester – approx. 2,000 homes – reference (amongst other things) to Infrastructure Delivery Summary setting out necessary infrastructure and the need for a masterplan including indicative layout and phasing plan). • West of Waterlooville – approx. 3,000 homes - reference (amongst other things) to Infrastructure Delivery Summary setting out necessary infrastructure, the need to provide a new access road, funding of off-site transport improvements, provision of primary school places and contributions to off-site improvements to secondary education). The justifying text also refers to the PUSH Green Infrastructure Strategy • North Whiteley – approx. 3,500 homes - reference (amongst other things) to: <ul style="list-style-type: none"> ○ Provide pre-school facilities, additional primary school places and a secondary school, along with other physical and social infrastructure (as set out in the Infrastructure Delivery Summary, including provision, as required, for primary health care in the locality; ○ Provide a comprehensive assessment of existing access difficulties affecting Whiteley, agree solutions prior to planning permission being granted, and incorporate specific proposals to ensure that these are implemented at an early stage of the development; ○ Undertake a full TA to ensure that the package of mitigation measures are incorporated into the scheme; ○ Complete Whiteley Way at an early stage of development; ○ Provide measures to ensure that smarter transport choices are made to achieve a modal shift which minimises car usage, manages the impact of private cars on the highway network, and implements measures necessary to accommodate additional traffic, to include improvements to junction 9 of the M27 to be agreed with the relevant highway authorities; and ○ Include a Green Infrastructure Strategy. • Strategic Development Area north of Fareham - cooperate with Fareham Borough Council to help develop 6,500 - 7,500 homes with land within Winchester District to form part of the open areas to ensure separation between the SDA and the existing settlements of Knowle and Wickham. <p>Issue 5 – West of Waterlooville</p> <ul style="list-style-type: none"> • The Inspector was satisfied that following various permissions and commencement of development, delivery should proceed in accordance with the housing trajectory. • The Inspector recommends making anticipated numbers “about” rather than precise numbers of homes and amount of employment space and that (to take account of on- going viability considerations) the 40% affordable housing target should be expressed as “should” rather than “will” (This reflects representations made by Grainger). • The s106 agreements with the County Council over school provision provides some flexibility as to how additional places are provided and the Inspector recommends that the policy refers to “primary school places” rather than “two primary schools.” <p>Issue 6 – North Whiteley</p> <ul style="list-style-type: none"> • This was found sound despite uncertainty relating to the need for a bypass to support the proposed strategic site, with technical assessment incomplete. The Inspector accepted a 	

modification by the Council that requires improvements to Junction 9 of the M27 to be agreed with the relevant highway authorities., continuing “Although not all the necessary detailed technical analysis on transport is as yet fully complete, the work undertaken to date is sufficient to demonstrate a very strong likelihood that all the necessary transport elements of the overall scheme would be practically and economically deliverable.”

- Similarly, the Inspector accepted that in the absence of detailed proposals it was not possible to finalise primary health care requirements and accepted a Council modification to require “as necessary”.
- The Inspector concluded that the Consortium did not need to make financial contributions towards providing a by-pass for a nearby village (Botley), partly on the basis that Hampshire County Council did not think that the expected increase in traffic justified this.
- Given requirements for a link road and school place provision, the Inspector encouraged modifications to make affordable housing targets more flexible (to ensure a viable scheme)
- North Whiteley allocation is supported by a viability report prepared by the Whiteley Consortium based on the provision of 3,500 homes. The plan referred to 3,000 homes, but alluded to the possibility of a higher number being achievable in due course. The Inspector supported a Council modification to refer to 3,500 in the policy.

Issue 7 – Barton Farm, Winchester

- Outline permission had been granted for 2,000 homes and the Inspector conclude that in the absence of any land assembly issues, there is every indication that this will proceed (although, again, the Inspector supported modifications to ensure appropriate flexibility, this time in relation to phasing)

Issue 12 – Infrastructure, Delivery, Flexibility, Monitoring, Implementation

- The Council’s Infrastructure Delivery Plan (EB106) sets out detailed requirements for each of the proposed Allocations. This is supported by separate infrastructure studies for each of the proposed allocations (BP5, BP6 and BP7).
- The Council also submitted a Viability Study (EB101) that considered requirements on a cumulative basis
- The Inspector supported a Council modification to add reference in Plan to the need for additional household waste recycling facilities in relation to North Whiteley.

Lessons

- Uncertainty in terms of specific infrastructure works or their funding is not fatal; as long as a reasonable level of work has been done to show that there are options to address issues, and the key relevant stakeholders have not objected or identified (with evidence) potential show stoppers
- Allocations’ policies should be drafted with reasonable flexibility to allow for scheme development and financial viability in changing economic circumstances, avoid spurious accuracy when quoting figures and avoid unnecessary detail.

Local Planning Authority: Rotherham	Name of Inspector: Richard Hollox
Development Plan: Rotherham Core Strategy	Decision: Sound, subject to additional modifications. Inspector's Report 30 June 2014.
<p>Background Document submitted for Examination 6 June 2013 Examination hearings held between 22 October and 6 November 2013 and on 15 May 2014.</p> <p>Overall Approach Hierarchy of settlements identified, acknowledging the primary role of Rotherham for services etc. It takes 38% of growth, including Bassingthorpe Farm. Main modifications establish Waverley as a Principal Settlement.</p> <p>Having assessed 10 alternative broad locations/ urban extensions, the Council selected Bassingthorpe Farm and Dinnington East. Both were supported by the Inspector as sustainable locations for growth. Bassingthorpe Farm in particular was well located next to the built-up area of Rotherham with access to its town centre services and the employment in the inner urban area.</p> <p>Bassingthorpe Farm The site will be allocated for 2,400 dwellings, of which about 1,700 would be built in this plan period. Inspector agreed with the Council that sufficient work had been undertaken for this site to be put forward as a Strategic Allocation rather than Broad Location, but required the preparation of a masterplan to guide development. He was confident that the land could be brought forward sooner rather than later.</p> <p>The site was supported by a Concept Framework setting out details of the constraints to development and the opportunities, the level of mitigation required its impact upon development capacity and viability. Heritage is a major is as the Grade I Listed Wentworth Woodhouse and the Grade II* Wentworth Woodhouse Parkland Registered Historic Park and Garden (along with other listed Buildings) are within the area of search. Amendments resulting from Duty to Cooperate with English Heritage resulted in the production of a Heritage Impact Assessment and the withdrawal of English Heritage's objection to this Core Strategy proposal.</p> <p>Land is also removed from green belt for this allocation.</p> <p>Infrastructure delivery The Inspector was given confidence in the monitoring and delivery of the IDP, and the timely provision of the infrastructure on which it depends, due to the Council's appointment of a lead officer with special responsibility for this and establishment of an Infrastructure Delivery Group (IDG). This will include officers, members and service providers. The Group's functions will include assessing the progress of the strategy, and addressing actual and potential departures from the strategy.</p> <p>On the issue of certainty, the inspector said "The Core Strategy has been prepared in uncertain times and it would be rash to predict certainty in the future, especially during a 15 year period. Indeed, the IDS notes that it <i>has been prepared against a backdrop of the current economic climate</i>. It identifies a funding gap of nearly £55,000,000. These circumstances do not invalidate the Core Strategy's provisions for infrastructure and its funding, and it is significant that no infrastructure provider has maintained an objection to the Core Strategy." The fact that the Council has a good track record in the provision of infrastructure was also a factor.</p>	
<p>Lessons:</p> <ul style="list-style-type: none"> • A plan can't expect to have certainty on all matters; in relation to lack of joint SHMA with Sheffield the Inspector felt the Council had been pragmatic in its assumptions given Sheffield did not want to undertake a joint assessment. "As Ivan Turgenev reminds us, <i>If we wait for the moment when</i> 	

everything, absolutely everything, is ready we shall never begin.”

- phasing of a site or sites based on preference to others (eg because its brownfield) should be removed from the plan. If a site is sustainable for development it should not be restricted by phasing.
- Inspector supported The Council's view that adequate work had been done on Bassingthorpe Farm for it to become a Strategic Allocation.
- Regarding infrastructure the Inspector found that the Council's policies and proposals are as realistic as they can be, despite a host of uncertainties. There is a reasonable prospect that the planned infrastructure will be deliverable in a timely fashion.