

Representations on behalf of: Redrow Homes Ltd
Trafford LDF: Core Strategy DPD

**RESPONSE TO INSPECTORS NOTE 7: DRAFT NATIONAL
PLANNING POLICY FRAMEWORK (NPPF)**

EPP reference: FS5-8433-JC-jc

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1. INTRODUCTION

- 1.1 The Draft National Planning Policy Framework (NPPF) was published for a period of consultation on the 25th July 2011. It gives a clear indication of the Government's emerging planning policy guidance, and is a key part of the Government's reforms to make the planning system less complex, more accessible, and to promote sustainable growth. The NPPF will replace the various National Planning Policy Guidance and Statements.
- 1.2 The draft NPPF is explicit that planning permission should be granted "*where the plan is absent, silent, indeterminate, or where relevant policies are out of date*". It therefore follows that the plan must conform to the NPPF in order to avoid a situation whereby the policies were immediately out of date as a result of their conflict with the NPPF once it is adopted. The draft policies should therefore be given substantial weight in preparing Development Plan Documents.
- 1.3 In recognition of the significance of these policy changes, the Inspector issued a note that was circulated to all previous participants (Inspector's Note 7) inviting further comment as to the degree to which these changes may have a bearing on the soundness of the Core Strategy.
- 1.4 We have submitted representations on behalf of Redrow Homes Ltd in respect of the following policies:
- Policy L1: Land for New Homes;
 - Policy L3: Regeneration and reducing inequalities; and
 - Policy R4: Green Belt and other protected open land.
- 1.5 This further statement sets out our views on the soundness of the Core Strategy specifically in light of the Government's proposed changes to planning policy as set out in the draft NPPF.

2. IMPLICATIONS FOR THE CORE STRATEGY

General context: Planning positively for sustainable development

- 2.1 Paragraph 14 of the draft NPPF sets out that at the heart of the planning system is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking. Local planning authorities should plan positively for new development, and approve all individual proposals wherever possible. Local planning authorities should:

- prepare Local Plans on the basis that objectively assessed development needs should be met, and with sufficient flexibility to respond to rapid shifts in demand or other economic changes;
- approve development proposals that accord with statutory plans without delay; and
- grant permission where the plan is absent, silent, indeterminate or where relevant policies are out of date.

2.2 Paragraph 20 identifies that development plans must aim to achieve the objective of sustainable development. To this end, they should be consistent with the objectives, principles and policies set out in this Framework, including the presumption in favour of sustainable development. This means that plans should be prepared on the basis that objectively assessed development needs should be met, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

2.3 Paragraph 24 states that Local Plans should:

- plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of this Framework
- be drawn up over an appropriate time scale, preferably a 15 year time horizon, take account of longer term requirements, and be kept up to date
- indicate broad locations for strategic development on a key diagram and land-use designations on a proposals map
- allocate sites to promote development and flexible use of land, providing detail on form, scale, access and quantum of development where appropriate
- identify areas where it may be necessary to limit freedom to change the uses of buildings, and support such restrictions with a clear explanation
- identify land which it is genuinely important to protect from development, for instance because of its environmental or historic value; and
- contain a clear strategy for the environmental enhancement of the area.

2.4 Paragraph 48 introduces a new test of soundness for examining the Local Plans. It requires plans to be 'positively prepared'. The plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is practical to do so consistently with the presumption in favour of sustainable development.

2.5 Therefore the key emphasis of the draft NPPF is that plans should be prepared positively to secure sustainable development. Local Planning Authorities should plan to meet

objectively assessed development needs should be met, with sufficient flexibility to respond to rapid shifts in demand or other economic changes. They should approve all individual proposals wherever possible.

- 2.6 It is clear from the draft NPPF and the Government's previously released Ministerial Statement on Planning for Growth that the purpose of the planning system is to facilitate development, not prevent it. The policies of the Core Strategy should be considered in this context. Whilst elements of the Core Strategy may conform to the draft NPPF, it was drafted and consulted upon in a different national planning policy context. Having regard to the policies that we have commented upon previously, we set out below our comments on the implications of the draft NPPF for the Core Strategy.

Policy L1: Land for New Homes

The housing requirement

- 2.7 Our original representations set our concerns that the Core Strategy would be unsound in that the housing requirement is not justified by the evidence base, and would fail to meet identified housing need.
- 2.8 In our response to Inspector's Note 5, we referred to the Secretary of State appeal decision in Fylde (ref: APP/M2325/A/10/2127459). The Secretary of State agreed with the Inspector that there are significant change factors which justify giving only limited weight now to the evidence base which informed the RSS (paragraph 10). In that instance, the Inspector considered that the RSS evidence base had been overtaken by more recent population projections which show a significant decrease in the anticipated level of population growth in the area. We have argued significant weight should be given to a higher requirement, as justified by the evidence set out in our previous representations.
- 2.9 Paragraph 110 states that the presumption in favour of sustainable development means that Local Plans should be prepared on the basis that objectively assessed development needs should be met, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. We note that paragraph 3.15 of the document 'Review of the evidence base: Housing growth targets in Greater Manchester' explains the distribution of housing in Greater Manchester as *"the GM policy priority to repopulate the core of the conurbation and reconnect neighbourhoods in inner areas to the economic opportunities nearby"*. In our view the approach of the NPPF is to meet housing need within the plan area, unless doing so would cause adverse impacts which would significantly outweigh the benefits. It should be noted that two of the adjoining authorities, Manchester and Salford, have

published Core Strategies which propose to significantly reduce the amount of housing they will deliver when compared to the RSS targets. This is shown below:

Local Authority	Stage of Core Strategy	RSS annual average target	Core Strategy annual average target	Difference (per annum)
Manchester	Submitted to Secretary of State - July 2011	3,500	3,333	-167
Salford	Pre Publication Draft - June 2011	1,600	1,100	-500

2.10 It is therefore apparent that Trafford's neighbouring authorities are proposing to reduce their housing requirements by a combined 667 dwellings per annum, equating to 10,005 dwellings during the period 2011 to 2026. It is therefore clearly flawed to continue to assume that neighbouring authorities will continue to meet housing need generated in Trafford, as there is no longer a regional or sub-regional planning body that has any jurisdiction over planning decisions for Greater Manchester.

2.11 Paragraph 33 of PPS3 provides the current guidance on how the housing requirement should be calculated, which involves consideration of a wide range of evidence including NHPAU advice. The draft NPPF simplifies the approach to assessing the housing requirement. The emphasis is on meeting development need wherever practicable, through the use an evidence-base to ensure that the Local Plan meets the full requirements for market and affordable housing in the housing market area.

2.12 Paragraph 28 of the draft NPPF requires the Strategic Housing Market Assessment should identify the scale and mix of housing and the range of tenures that the local population is likely to require over the plan period which:

- meets household and population projections, taking account of migration and demographic change;
- addresses the need for all types of housing, including affordable housing and the needs of different groups in the community (such as families with children, older people, disabled people, service families and people wishing to build their own homes; and,
- caters for housing demand and the scale of housing supply necessary to meet this demand.

2.13 We have set out in our previous representations that the proposed housing requirement would not meet household and population projections, would not addresses the need for all types of housing, including affordable housing, and would not sufficiently cater for

housing demand. The proposed housing requirement would therefore not comply with the draft NPPF in this regard.

- 2.14 Paragraph 107 states that the Government's key housing objective is to increase significantly the delivery of new homes. Paragraph 108 clarifies that to enable this, the planning system should aim to deliver a sufficient quantity, quality and range of housing consistent with the land use principles and other policies of the NPPF. The Core Strategy should ensure this is achieved in order to comply with the draft NPPF, and therefore significant weight should be given to a higher housing requirement.
- 2.15 Paragraph 109 of the draft NPPF requires LPAs to identify and maintain a rolling supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements. The supply should include an additional allowance of at least 20% to ensure choice and competition in the market for land. Accordingly in order to conform to the draft NPPF we consider that this additional 20% should be incorporated within the Core Strategy housing requirement throughout the plan period. For clarification, this should be in addition to the 20% uplift on the RSS housing requirement to 2018 required by the Growth Point commitment (if the Inspector is minded to approve the RSS housing requirement as sound), which the council has already agreed to incorporate within the housing requirement to meet housing need. The additional 20% is to ensure choice and competition in the market for land, in addition to the requirement needed to meet housing need.

Previously developed land target

- 2.16 Our previous representations set out our view that the target of 80% of residential development to take place on previously developed land should be revised downwards. We also identified that if our objections to the housing requirement, distribution and/or mix are accepted, the previously developed land target should be reconsidered.
- 2.17 The draft NPPF does not include any nationally imposed targets in respect of the use of previously developed land. This change in policy supersedes the RSS, and as such the RSS target for the amount of housing to be developed on previously developed land can now only be given limited weight.
- 2.18 As we have previously advocated, the Core Strategy requires the flexibility to deliver growth. Given that the SHLAA indicates that only 82% of the total housing land supply identified comprises previously developed land, the proposed target of 80% is inflexible and could hinder the delivery of the housing requirement. It is unrealistic to assume that all of the sites identified within the SHLAA will be delivered within the 0-15 year period. For example, a number of the council's key strategic housing sites have constraints that will need to be addressed (i.e. through land contamination, existing uses etc). It would not

be in accordance with the Governments latest policy position to rely solely on the delivery of these sites without sufficient contingencies in place should there be a failure to deliver the housing requirement whilst also meeting the proposed 80% previously developed land target.

- 2.19 In view of the above, we also object to the proposed additions to the text at paragraph L1.8. These additions in our view add unnecessary policy triggers which if implemented would prioritise the previously developed land target ahead of meeting the overall housing requirement, which is contrary to the objectives of the draft NPPF. The same applies to the text at L1.9, specifically the sentence that states that greenfield land outside of the urban area will only be considered favourably "*where it can be demonstrated that the development of that land will not compromise the Council's achievement of its brown-field land target*". This approach is not in accordance with draft NPPF, and is therefore unsound.
- 2.20 We maintain that in order to make the Core Strategy sound, we consider that paragraphs L1.8 and L1.9 should be amended as follows:

*L1.8 The proposed scale and phasing of development set out in policy table L1 assumes the operation of normal market conditions throughout. Should regular monitoring reveal a significant (in excess of 20%) under-performance in the delivery of development as proposed in Table L1, the Council will seek to determine the reasons for the under-performance and take development management action to augment the supply of deliverable sites to improve performance. In circumstances where market conditions are perceived to have changed significantly, a review of the housing delivery proposals of the policy will be considered. Where the regular monitoring reveals a significant (in excess of 10%) under-performance against the indicative previously developed brown-field land use target set in L1.7 above, the Council similarly will seek to determine the reasons for the underperformance **and if necessary undertake a review of the policy.** ~~take development management action to accelerate the delivery of development, firstly on previously developed sites with planning permission or allocated for development, to raise performance. Until such time as monitoring evidence indicates that the previously developed land use under performance has been reduced to an acceptable level by the measures taken, the Council may reject applications for the development of green field sites where the overall delivery of new housing is not jeopardised.~~*

*L1.9 The development of green-field land outside the urban area will ~~only~~ be considered favourably where it can be demonstrated that the proposed development will be capable of creating sustainable communities; will contribute significantly to the Plan's overall objectives, including the economic growth of the City Region and the provision of affordable housing; and ~~where it can be demonstrated that the development of that land will not compromise the Council's achievement of its brown field land target over the Plan period and that without its release, the Council's 5 year housing land supply target could not be delivered.~~ **and the release of the site would contribute to***

the council meeting its overall housing requirement and/or identifiable local housing needs.

- 2.21 To conclude, in view of the draft NPPF, we consider that Policy L1 should be supportive of greenfield sites coming forward alongside of brownfield sites where this can bring about economic benefits, for example ensuring a continuous deliverable supply of housing and to meet regeneration needs and objectives.

Policy L3: Regeneration and reducing inequalities

Partington

- 2.22 Our previous representations set out our view that there is a need for at least 2,286 net additional dwellings in Partington to 2026 (127 per annum), over the plan period (2008 - 2026). We also set out that within the policy that any housing target given for the priority regeneration areas should not be treated as a maximum. In order to achieve the requisite quantum of development to regenerate Partington, it may be necessary to release other land for development.
- 2.23 As with the overall housing requirement for the borough, our case is clearly supported by the draft NPPF which requires at paragraph 48 plans to be positively prepared. The housing objectives set out at paragraph 107 are to increase the supply of housing, deliver a wide choice of high quality homes that people want and need, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, including through the regeneration and renewal of areas of poor housing. Paragraph 111 states that to deliver a wide choice of quality homes and widen opportunities for home ownership, local planning authorities should:
- plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as families with children, the elderly and people with disabilities)
 - identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
 - where they have identified affordable housing is required, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities.

- 2.24 As it currently stands, the Core Strategy would not meet the identified housing needs in Partington, and would not sufficiently stimulate economic regeneration. It therefore is unsound and does not comply with the draft NPPF.
- 2.25 In view of the above, we consider that the safeguarded land at Warburton should be allocated in order to achieve the large scale development that is necessary to bring about the regeneration required in Partington. This would be directly in accordance with the Government's commitment to delivering the economic growth required to help re-build Britain's economy, and is particularly pertinent in an area of severe economic deprivation.

Policy R4 - Green Belt and other protected open land

Land in Warburton (immediately to the south of Partington)

- 2.26 As set out above, we consider that the Government's emerging planning policies set out in the draft NPPF emphasise our case that the council's approach to the development of greenfield land is both restrictive and inflexible. The PINS guidance note on the NPPF acknowledges that the previously developed land target has been removed *"to allow local councils to determine the most suitable sites for housing"*. The strategic housing sites have been identified largely due to their compliance with PPS3 and the RSS. A number of the sites, for example the Shell land at Carrington, have significant constraints (for example extensive contamination) and we have concerns over their deliverability. We consider that additional land should be identified for development if the proposed allocations are not developed at the rates envisioned. This would provide the contingency plan to ensure a 5 years supply of housing is maintained, in accordance with paragraph 109 of the draft NPPF.
- 2.27 The draft NPPF also sets out at paragraph 107 the Government's objective of creating sustainable, inclusive and mixed communities, including through the regeneration and renewal of areas of poor housing. This adds significant weight to our case that additional housing development is required in Partington to stimulate economic growth in the area and to meet identified regeneration objectives.
- 2.28 Paragraph 109 sets out a range of measures that local planning authorities should take to boost the supply of housing. These include identifying and maintaining a rolling supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements, including an additional allowance of at least 20 per cent to ensure choice and competition in the market for land, and illustrating the expected rate of housing delivery through a housing trajectory for the plan period and, for market housing, set out a housing implementation strategy describing how they will maintain delivery of a five-year supply of housing land to meet their housing target.

- 2.29 In order to provide the necessary flexibility in the plan (including the required additional 20% to provide choice and flexibility, and on a contingency should other sites fail to deliver at the anticipated rates) and to meet identified needs in Partington, we consider that the area of other protected land at Birch Farm should be allocated for residential use. The land at Birch Farm is considered appropriate for this purpose due to its exclusion from the Green Belt and its close relationship with Partington.
- 2.30 The site is deliverable during the plan period in accordance with PPS3, in that it is available, suitable and achievable. The principle of the development of the land to meet long term regeneration needs has previously been established through the UDP. The development of the site would be an efficient use of land, well integrated with existing development, and well related to public transport and other existing and planned infrastructure, so promoting sustainable development. Crucially, its development would stimulate economic growth through the delivery of housing, and pertinently the economic benefits for Partington.
- 2.31 Furthermore, the allocation of this site would not harm any local or national policy objectives. The draft NPPF sets out that the default answer to development proposals should be "yes", except where this would compromise the key sustainable development principles set out in this framework except where this would compromise the key sustainable development principles set out in national planning policy.
- 2.32 The policy as drafted is not sufficiently flexible to enable safeguarded land to be brought forward for development if other sites fail, or if there are rapid shifts in demand or other economic changes and is therefore contrary to the draft NPPF. The restrictive approach proposed by the policy is contrary to the Government's stated objectives of realising economic growth, is an unnecessary burden on development and will not address the housing need.