

Date: 29 August 2014

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FAO Susan Heywood  
Senior Housing and Planning Inspector

Dear Ms Heywood,

Further to your letter dated 30 June 2014 which raised matters regarding Policy C4 - Cuerden and the assessment of housing needs and figures contained within our Local Plan, the Council are now in a position to update you.

#### **Policy C4, Cuerden -**

In terms of Policy C4, the Council have sought legal advice and it was advised and agreed that a Main Modification was appropriate to Policy C4 to help ease concerns made by a number of interested parties. The council have now prepared the proposed wording changes to the policy and a time table for the consultation process.

The indicative time table for the Main Modification consultation/following tasks is detailed below –

<b>Task</b>	<b>Date</b>
Main Modification Report to Cabinet	10 <sup>th</sup> September 2014
Consultation commences	17 <sup>th</sup> September 2014
Consultation ends	31 <sup>st</sup> October 2014
Send Responses Report to Inspector	10 <sup>th</sup> November 2014
Inspector reviews responses	11 <sup>th</sup> – 28 <sup>th</sup> November 2014
Examination (if required)	January 2015
Inspectors Final Report	February 2015 (December 2014 - If examination is not required)
Adoption	March 2015 (January 2015 - If examination is not required)

Policy C4 – Cuerden is to be amended in the form of a Main Modification as follows (The red text indicates the text to be added to the policy) -

## Policy C4 – Cuerden Strategic Site

Planning permission will be granted for development of the Cuerden Strategic Site subject to the submission of:

- a) an agreed Masterplan for the comprehensive development of the site, to include retail, employment, commercial, industrial and Green Infrastructure uses;
- b) a phasing and infrastructure delivery schedule;
- c) an agreed programme of implementation in accordance with the Masterplan and agreed design code.

Alternative uses may be appropriate where it can be demonstrated that they may help deliver the strategic employment aspirations for this site. **Any proposed main town centre uses must satisfy the sequential and impact tests set out in the National Planning Policy Framework (NPPF), relevant policies of the Core Strategy and this Local Plan.**

### The Councils Housing Needs and Figures -

The Council have sought legal advice with regards to the implications of the recent court cases/decisions and the Councils assessments of its housing needs.

In summary this advice stated the following - *As the law stands currently, where an examination is concerned with a development plan document which is concerned solely with the allocation of sites to meet a development requirement set out in an existing component of the local plan (e.g. a core strategy), then there is no requirement for that development plan document to proceed on the basis of an up to date assessment of objectively assessed need for development.*

*In the present case I note the following extract from the Inspector's report dated 8 November 2013; "Having regard to the most recent, 2011, household projection figures the Council considers that these housing targets are still appropriate and, on the basis of the evidence before me, this appears to be a reasonable assessment."*

*This paragraph is capable of 2 differing interpretations -*

- 1. that the examination of the Allocations DPD is simply proceeding on the basis of the requirement for new housing set out in the Central Lancashire Core Strategy, or*
- 2. there has been a consideration and attempted assessment of objectively assessed need in the context of the examination of the Allocations DPD.*

*If the former interpretation is adopted, then it is now apparent (in light of the judgment in the Gladman case) that the examination is entitled to proceed on that basis (i.e. on the basis that the Allocations DPD is simply implementing the development requirements set out in the core strategy).*

*If the latter interpretation is adopted, then, as long as the assessment of objectively assessed need has been robust, the examination is entitled to proceed on the basis that there has been an objectively assessed need for new development to inform the Allocations DPD.*

*The reality of the position may fall somewhere between the two scenarios set out above, i.e. the Allocations DPD proceeds on the basis of it implementing the requirement identified in the Core Strategy, but evidence adduced by the Council to the examination (e.g. in respect of household projections) was produced in order to give comfort to the Inspector with regard to the robustness of that position. Again, in light of the judgment in the Gladman case, I believe that to be a proper approach.*

*Accordingly, given that judgment in the Gladman case has now been given, the Council can respond with some confidence to the Inspector's letter with regard to the issue of objectively assessed need.*

## Housing Assessment Needs and Figures -

The background information into the formulation of the housing figures we have used within the Core Strategy and the Site Allocations DPD is as follows -

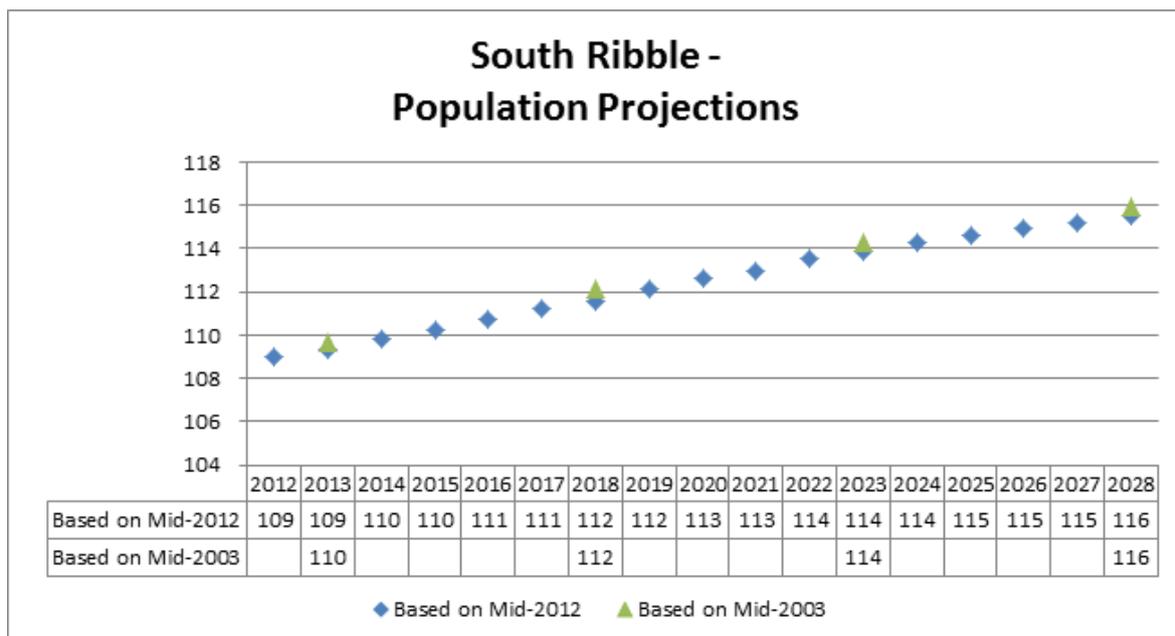
The North West Regional Planning Body (NWRA), commissioned Nathaniel Lichfield to carry out housing modelling in 2005. They reported in August 2005 and initially used the 2003 population projections and 2002 household projections within their research. Nathaniel Lichfield produced an addendum in August 2006 using the 2003 based household projections, which were themselves based on the [2003 based population projections](#).

At the North West RSS examination the panel based the regional figure on the 2003 CLG household projections. Paragraph 6.30 of the panel report referred to this indicating an increase of 416,000 households in the North West between 2003 and 2021. This is the figure for total net housing provision 2003-21 for the North West region in table 7.1 of the North West RSS.

The panel then distributed the total on the basis of where development and growth was expected to happen and this is the basis on which South Ribble and Chorley were expected to provide a total of 7,500 (417 p.a.) and Preston 9,120 (507 p.a.). In South Ribble and Chorley both authorities were expected to have 1.8% of the region's household growth but both had experienced approx.1.5% at the 2001 and 2011 censuses. In Preston's case they were expected to have 2.2% of the projected growth but in both the 2001 and 2011 censuses, it was 1.9% share of the North West's households meaning that household growth has matched that of the region as a whole and the expected redistribution had not taken place.

As detailed above, the RSS population projections were based on the ONS [2003 based population projections](#). The published figures for this are shown below (green on the chart).

The recently published population projections are based on the [2012 based population projections](#), and these are also shown below (blue on the chart). (Population based figures published in-between these years have been notably higher.) However, it is apparent that the evidence base for the housing figures that the North West RSS and the most recently published population figures are very similar, giving the Council confidence that the housing figures contained within the Core Strategy and the Site Allocations DPD are still appropriate and up to date. The legal advice received also agrees with this approach.



In terms of a review of the Central Lancashire Core Strategy and the housing figures contained within that document, the Local Development Scheme (LDS) details the anticipated time table and commitment to this work -

- **The Local Development Scheme (LDS) –**

<http://www.southribble.gov.uk/sites/southribblecms.govplatform.firmstep.com/files/South%20Ribble%20Local%20Development%20Scheme%20-%20March%202014.pdf>, see page 4

The review is also referred to in the Core Strategy Inspector's report, it was always the intention of the Central Lancashire authorities to partially review the document in respect of housing requirements –

*Para 35 - The PHRCs state the Central Lancashire Authorities' intention, as a matter of urgency, to review partially the Local Plan in respect of housing requirements. This would, it states, following the proposed revocation of the RS, give the Councils the scope to produce locally derived housing requirement figures. This intention is criticised as undermining their commitment to the delivery of housing, creating needless uncertainty for developers and other parties in the provision of infrastructure and compromising the longer term certainty which a development plan should provide. These concerns, from a developer's point of view, are understandable, but democratically elected Councils have the discretion to review, or partially review, their plans as and when they see fit. This is the case whether or not the Local Plan includes that statement. It is not a matter of soundness.*

The Central Lancashire Core Strategy also refers to the commitment of continually reviewing housing figures -

*Para 8.14 - It is appropriate to monitor the performance of house building rates over rolling three year periods as it is normal for construction activity to fluctuate from one year to the next both in terms of overall numbers of units built and the respective proportions on green and brownfield sites. The Performance Monitoring Framework identifies a series of contingency options should housing delivery fall below 80% of the housing requirements over a three year rolling average. Under these circumstances the phasing policies in Site Allocations Development Plan Documents could be changed to help bring forward uncommitted developments and closer management of delivery with key partners may be pursued. However care must at all times be exercised to ensure such adjustments do not adversely affect housing markets by exacerbating affordability problems. If these fail to remedy the situation the Councils would consider reviewing policies with the aim of bringing forward additional/alternative sites for housing development.*

We hope this information deals with the matters highlighted within your letter dated 30 June 2014 and we welcome any comments you may have on the contents of this letter.

If you require any further clarification please do not hesitate to contact me.

Yours sincerely,

Helen Hockenhill  
Planning Manager