Matter 6 – The Strategic Land Allocation

Issue 6.1 i)

1. Sustainable development is a broad issue, and includes providing enough housing to meet an area’s objectively assessed needs. At the very basic level, the reduction in housing numbers will result in the Plan failing to meet housing needs, and will thereby lead to serious adverse social and economic consequences.

Issue 6.1 ii)

2. The level overall level of housing being planned for, and the sites being proposed, do not allow for future proofing. The housing land supply position shown in Table 5.2 of the Core Strategy allows for only an over-supply against the proposed housing figure of 11 dwellings. This implies that there is no spare capacity to allow for slippages in the delivery of housing.

3. In addition, however, we have also noted in our Statement on Matter 3 that the proposed level of housing is significantly below that which is required to meet housing needs, and so the net effect on the Borough’s future is likely to be worsening social and economic consequences; this is exactly the opposite of future-proofing.

Issue 6.2

4. The South East SDA, which was previously proposed in the February 2010 Pre-Submission Core Strategy, emerged as a result of a long process of analysis, evidence, and options testing, including for example the November 2005 Options for Growth Technical Report; April 2006 Options for Growth Evaluation Report; September 2007 Preferred Options; April 2008 Review of the Strategic Development Areas; 2009 SHLAA; and so on. In short, there is a body of evidence and analysis that underpinned the selection and identification of the South East SDA. We consider that the South East SDA, as previously identified in the Pre-Submission Core Strategy should be reinstated, and we also consider that the evidence base and site selection process which underpinned this site, as at February 2010, was sound.

5. However, as noted in our comments on Issue 6.3 below, we do not consider that land parcel SR4 (land east of Wavendon Gate) should be included in the Strategic Land Allocation (SLA), on the basis that it has been shown by the Sustainability Appraisal (SA) and site selection process to be a less suitable location for development than our Client, The Fairfield Partnership’s land, the western parcel of MKSA4 (referred to hereafter as the TFP land).

6. We have provided Counsel’s opinion that the proposed SLA has not been properly supported by a SA of the proposed option, or any consideration of how this option compares to the possible alternatives, and it therefore renders the Core Strategy incapable of being found sound. We further explain this point in our statement with regard to Matter 1.
Issue 6.3

The absence of Sustainability Appraisal for the SLA Proposals

7. The SA does not show that the post-submission changes, providing for the SLA, are the most appropriate strategy when considered against the reasonable alternatives.

8. The SA process sought to test 9 different alternative options for a strategic allocation, all tested against a 10th scenario, which is the allocation of the four Strategic Reserve Areas (SRAs) (as originally proposed in the Submission Draft Core Strategy – i.e. the current proposal at the time the SA process was undertaken). The 9 different options covered a wide range of locations, and in respect of the options to the South East of the City, a wide range of site permutations.

9. The 9 alternative options and the ‘default’ SRA option were selected for testing and consultation through the SA process because they represented the ‘reasonable alternatives’. Other options were considered and rejected through the SA process.

10. The proposed strategic allocation the Council is now proposing corresponds to none of the options tested through the SA process. Rather, the proposal appears to comprise a hybrid of the preferred option MKSA4, excluding the western parcel of land to the west of Newport Road, coupled with the inclusion of strategic reserve site SR4 (land east of Wavendon Gate), which formed part of the rejected SRA option proposed in the Submission Draft Core Strategy. The proposed allocation now proposed has not therefore itself been the subject of SA, and has not been tested against the ‘reasonable alternatives’ established earlier in the SA process.

11. There is therefore not only no SA of the proposed option, but also no clearly reasoned process that demonstrates that the proposed hybrid option is the ‘most appropriate’ of the reasonable alternatives.

Failure to follow the guidance of the Sustainability Appraisal

12. The one clear finding from the SA Addendum of October 2010 was that the selection of four disparate parcels of land (i.e. the SRAs) did not represent a particularly sustainable solution, because it lacked the benefits of a comprehensive approach. The same conclusion was reached in the January 2011 SA of the Reasonable Alternatives, which consistently found the comprehensive solutions to the South East of the City to be the most appropriate and most sustainable approach. This SA report rejected the piecemeal allocation of the SRAs.

13. Against that consistent message from the SA process, it is difficult to understand how removing the western parcel of the preferred comprehensive option MKSA4, and replacing it with a stand-alone allocation comprising SR4 to the east of Wavendon Gate, shows any consistency with this key finding from the SA process.

14. We acknowledge that the proposed inclusion of additional land between SR2 and SR3 helps to make the allocation of the SRAs / SLA more comprehensive than it would have been if left as per the Submission Draft Core Strategy. However, since the desire for a comprehensive approach is the reason given for the inclusion of this additional land, it makes the decision to exclude the western parcel of MKSA4 in
favour of including SR4 - an isolated parcel of land to the east of Wavendon Gate - all the more contradictory.

Lack of/defective rationale for the exclusion of the western parcel of MKSA4

15. The consultation documents and SA do not set out in any kind of detail the justification for the Council’s decision to exclude the western parcel from MKSA4. However, so far as can be gathered, the single reason that appears to be raised for excluding the western parcel of preferred option MKSA4 is the alleged impact that development might have on the setting of Wavendon. No other reason is advanced anywhere in the published papers for removing this land from the preferred MKSA4 option.

16. The Inspector is invited to reject this as a wholly implausible argument on the basis of four counter submissions:
   i. The Council’s own site assessment concludes that development of the western parcel of MKSA4 would not impact on the setting of Wavendon if the site is properly planned;
   ii. The Council’s SHLAA confirms that the western parcel (and in particular the TFP land) is suitable and appropriate for development;
   iii. Our previous submissions in support of the allocation of the TFP land as part of the wider South East SDA have been supported by a detailed landscape assessment by LDA Design which assessed, amongst other matters, the suitability of the site for development having regard to the setting of Wavendon; no such comparable landscape assessment has been undertaken on the part of the Council to refute the expert opinions set out within the submitted analysis.

17. Taking these issues in turn, we would comment as follows.

18. Firstly, the assertion that inclusion of the TFP land would adversely affect the setting of Wavendon is not even supported by the Council’s own site assessment; that assessment (see pages 16-21 of Appendix 2 of the Site Selection Report) noting initially in respect of Objective 12 (which relates to maintaining the character of settlements) that MKSA4 will have a negative impact on the setting of Wavendon, but it then stating “However this could be mitigated through careful planning possibly using strategic green buffers ...” (page 16). The overall conclusion of the SA process as it relates to MKSA4 is reported on page 20 and states that development will “inevitably have an impact on the landscape setting of Wavendon... if an adequate landscape/open space buffer is not provided”.

19. Secondly, we note that the TFP land was assessed as part of the Council’s SHLAA, and is still identified in the SHLAA as being a suitable and deliverable parcel of land. The SHLAA analysis states simply that it is “Adjacent to employment designation. No significant constraints”. Whilst the SHLAA does raise possible issues of coalescence in respect of other potential sites to the south east of the City, it does not in respect of the TFP land.

20. Thirdly, our submissions in respect of the above matters are supported up by a detailed technical assessment of the landscape impact of developing the TFP land. The 2009 LDA Landscape Character Assessment and Appropriateness of Development report considers in detail at the relationship of the TFP land and the
impact of development on the surrounding landscape, including the implications for
the setting of Wavendon. The Inspector will note with particular interest the analysis
in the LDA report (pages 11-13) which explains the history of the allocation of sites
SR2 and SR3 (Eagle Farm), and that the landscape evidence relied upon by the
previous Local Plan Inspector (and referred to in the Inspector’s conclusions) in
reaching the decision to identify SR2 and SR3 as Reserve Sites, applies equally to
the TFP land.

21. No detailed landscape or technical work has been put forward by the Council to
counter the above, and indeed its own evidence base - the SHLAA in particular,
supports the case for the inclusion of the TFP land within the proposed allocation.

Lack of/defective rational for the inclusion of SR4

22. For the most part, the Council’s written justification for the inclusion of SR4 within the
SLA relates to the whole of the strategic allocation, rather than any providing any
specific rationale for the inclusion of SR4 as an addition to the inclusion of most of
the MKSA4 option. We understand from discussions with Officers that the rationale
for including the land is simply because it is one of the SRAs; but in our opinion that
cannot of itself be the sole reason for allocating the land in the Core Strategy.

23. We have previously commented in our representations on the Post-Submission
consultation on the suitability of SR4 for development, using the same criteria as
were included at Paragraph 8.4 of the Site Selection report and Paragraph 5.8 of the
SA report. We conclude that the TFP land performs far better in relation to these
criteria than SR4. In the same representations we also concluded that, when
considered against the Council’s own stated reasoning, there is in fact no justification
for including SR4, other than the fact that it has ‘public acceptance’, having been one
of the SRAs. We would question whether or not this is in fact true, since the SRAs
were inserted in to the previous Local Plan by the Inspector presiding over the Local
Plan Inquiry, and were not sites that either the Council or the public had supported.

24. If the only basis for the Council having included SR4 in the SLA is that it was
identified through the previous Local Plan as a Reserve Site, this element of the Core
Strategy must by definition be flawed, as the site selection has not been based on an
up to date and credible evidence base, and the site selected is clearly not the most
appropriate option. Its previous allocation cannot be a factor that can be attributed
any significant weight in light of the evidence from the more recent and up to date SA
and site assessment process. We also note that the SRAs are not, and have never
been, allocated for development, and they are not commitments; their only status is
that they would be considered for housing through this Core Strategy process.

25. Conversely, the Council’s own reasoning provides plenty of arguments for retaining
the western parcel of MKSA4. It undoubtedly has a better relationship than SR4 with
the remainder of the proposed strategic allocation, and occupies the same broad
extent of lower-lying land below the Wavendon ridge. It has the potential to form part
of the same overall comprehensive development option. Its proximity to the City, to
adjoining employment sites, and to the Kingston Neighbourhood Centre makes it an
infinitely superior location in terms of sustainability criteria such as the potential to
minimise car use in favour of walking and cycling. We therefore consider that he TFP
land should be included in the SLA in preference to SR4, if a decision is to be made
between them.
**Issue 6.4 i)***

26. There is no justification for lowering the housing requirement, and therefore proposing a maximum of 2,500 dwellings for this area, as set out in our statement in relation to Matter 3.

**Issue 6.4 iii)***

27. We consider that the land which comprises the South East SDA, as proposed in the Pre-Submission Core Strategy, is capable of delivery within the Plan period (which we consider should extend from April 2013 to March 2028 based on adoption of the Core Strategy in late 2012). The land is primarily greenfield, with no significant technical or physical constraints to its development. The scale of this larger development, at 4,800 dwellings, would allow development to take place, under a number of developers and in a number of locations simultaneously.

**Issue 6.4 iv)***

28. We consider that the land which comprises the South East SDA, as proposed in the Pre-Submission Core Strategy, is viable. This land is primarily greenfield, and has no significant technical or physical constraints to its development which may result in unusual or unaffordable costs. The proposed allocation of the SLA, which forms part of the South East SDA serves to reinforce this view.

**Issue 6.5 iv)***

29. We have noted above in our response to Issue 6.3 that the Council’s and our evidence both show that the development of the western parcel of MKSA4 (the TFP land) would not harm the landscape setting of Wavendon. A development in this location could be achieved without harm to the character of Wavendon, and the development would be well integrated with the adjacent urban edge City.

**Issue 6.6***

30. The SLA boundary should be drawn as previously proposed for the South East SDA, to allow the exact locations for development to be determined through a Development Framework for the area. The Core Strategy should therefore include only a broad area for development, as the site selection process which has been followed in reaching the Council’s current proposals for the SLA is seriously flawed, as noted above. This approach would allow for the most suitable locations for development to be selected through a Development Framework. It would also allow for a greater quantum of housing to be allocated in this area, in accordance with our separate comments with regard to the overall quantum of housing, in response to Matter 3.

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TW/734/JD  
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