

**North Somerset Core Strategy  
Consequential Changes Examination**

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**Note on Housing Land Supply Issues and Additional Sites  
on behalf of Gladman Developments Ltd**

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**Housing Land Supply**

1. This note is intended to assist the Inspector in clarifying the position of Gladman Developments Ltd ("Gladman") in relation to housing land supply issues before the examination, particularly in relation to the identification of whether there is a five year housing land supply.
2. On a number of occasions during the first hearing day, both the parties and the Inspector referred to the "conundrum" faced by the examination that we are dealing with remitted policies to support an already adopted housing requirement that forms part of an already adopted plan.
3. What then is the purpose of the examination?
4. As the Inspector correctly set out in his note dated 20 June 2016 (v2) para 3, the focus is on whether the remitted policies have the ability to deliver the housing requirement, and whether the plan provides enough flexibility to give confidence in that delivery. The issue of the five year housing land supply is relevant only insofar as the Inspector needs to know whether the remitted policies are capable of allowing the early delivery of sites sufficient to ensure the ongoing 5 year supply.
5. Gladman agrees that the five year supply is liable to change from week to week, and thus there is little point in trying to settle on a precise figure through this examination process which is not dependent upon the absence or presence of a five year housing land supply in any event. Indeed, the finding through a plan examination of a five year supply does not guarantee it will exist the following month, if for example, a large site falls out of the supply.
6. As the Inspector indicated, he does not want to interrogate the housing land supply in the same way as a section 78 Inquiry (see para 4 of his note). In any event, there are impediments to any detailed assessment of the supply, because the Council has not provided a trajectory of housing delivery that can be scrutinised.
7. Whether or not a 5% buffer or 20% is appropriate was subject to no discussion at the examination, the Inspector having indicated at para 4 of his

note that he is of the view the buffer should be 5%. Likewise, there was limited discussion on whether the Liverpool or Sedgfield approach is appropriate in dealing with the shortfall, which was confined to a discussion of the NPPG's stance, and the fact that Inspectors have accepted both methods in appeal decisions. However, Gladman do not consider it is necessary to finally determine the matter, because the purpose of choosing one method over another is relevant to the calculation of the five year housing land supply, which itself is not a necessary part of the examination.

8. Gladman therefore agrees with the Inspector's approach but asks that the approach is recorded clearly in the Inspector's Report. It should be explained that the supply was not subjected to detailed scrutiny of the sort expected at a section 78 Inquiry – indeed, such an exercise with the number of parties to the examination would take days, and not the few hours spent on the matter on the first day of the examination.
9. In other words, it should be made plain that the examination is not intended to settle the matter of housing land supply – it could not do so unless and until the position was fully examined.
10. It should also be noted that the Council's evidence has not gone unchallenged as was alluded to by the Inspector. At least two of Matter 2 hearing statements not only disagree with the residual calculation of 1715, but set out calculations indicating that there is not a five year housing land supply; see Hearing Statements of Pegasus Group on behalf of Strongvox Homes, and Gladman.
11. Reference should also be made to the PPG in the section concerning Housing and economic land availability assessment under the heading *'Updating evidence on the supply of specific deliverable site sufficient to provide five years worth of housing against housing requirements.'* (Reference ID: 3-033-20150327)
12. The paragraph suggests that the examination of Local Plans is the place to undertake a thorough examination of the housing supply as against the up-to-date housing requirement to ensure the deliverability of sites to meet a five year supply. It is said that the examination *"cannot be replicated in the course of determining individual application and appeal where only the applicant's/ appellant's evidence is likely to be presented to contest an authority's position."*
13. Nonetheless, in this instance, the examination is confined to the remitted policies only. It is not an examination of the Local Plan in the true sense of the meaning. Further, the examination will not establish an up-to-date housing requirement. The requirement is already adopted, and as was explained by the Inspector Punshon in his report dated 11 March 2015 under the heading 'Overall Conclusions':

*75. The development of Policy CS13 does not comply with national guidance in that it is not based on a full objective assessment of housing need in the whole of the recognised HMA. However, I am satisfied that, provided that the housing requirement set out in the MD6/6(a) version of the Policy is sufficient, this difficulty can be overcome by embedding a commitment to an early review of the requirement into the Plan. The MD6/6(a) version does this."*

14. Thus, the requirement in the Plan is not the requirement, i.e. the FOAN, that would be relevant for the purposes of a section 78 appeal; the two exercises are materially different. It does not meet with the provisions of the Framework, and so cannot form the basis for a Framework compliant five year housing land supply calculation.
15. Accordingly there would be little sense in identifying a five year housing land supply for the purpose of the Framework, when the starting point itself is not based on the requirements of the Framework. That is the unfortunate product of the disjointed examination process in which we are engaged.

#### **Additional Sites**

16. There is some concern arising from the hearings on the first day that alternative sites are being promoted through the examination of the remitted policies. That is clearly inappropriate for a number of reasons:
  - (i) The examination is concerned with whether or not the remitted policies will ensure the delivery of the overall plan requirement is met, it is not concerned with the allocation of land for housing;
  - (ii) If there is some concern that insufficient land is available to meet the housing requirement, and Gladman can only agree with the Inspector's observation that at best the Council are "sailing close to the wind", then the questions arises as to what should be done about it?
  - (iii) Respectfully, the answer is not to embark on some quasi site allocation process which is completely inappropriate in the context of this examination. No advance notice has been given to members of the public who might wish to object to sites that are being promoted, and they would have good reason for complaint if the Inspector's final Report indicated the appropriateness of particular parcels of land for housing. They understand that the opportunity to do that is through the allocations examination. Further, there are parties not attending the examination that might wish to promote their own sites if they knew that was an option;

- (iv) It is clear that North Somerset is land rich – finding additional sites will not be a problem, but identifying particular sites in the context of this examination is not the solution; the answer is to build flexibility into policies, so that additional land can come forward where it represents sustainable development to ensure the housing supply is boosted in accordance with the Framework;
- (v) Gladman therefore do not understand how visiting specific sites can be of assistance. No judgement can lawfully be made as to the acceptability of those sites for development through this particular process;
- (vi) It may be of assistance to visit various settlements in order to understand the hierarchy that is being promoted by the Council, but beyond that, the Inspector's role is limited.

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