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FENLAND CORE STRATEGY
MATTER 9: MARCH
REPRESENTATIONS ON BEHALF OF HEYGATE & SONS LIMITED

INTRODUCTION

Mike Sibthorp Planning have been instructed by Heygate & Sons Limited . We formulated representations in respect of the Submission Core Strategy supporting the proposed strategic urban extension to the north-east of March.

At the time of making our representation, the District Council's Leader had already signalled an intention to delete the north-east quadrant urban extension, and our representations also identified the inappropriateness of making such a significant change to the plan without prior Sustainability Appraisal.

We were not notified by the Council of the subsequent Submission Addendum, and therefore did not comment at that stage on the further amendments, although it is clear that our original objections on this matter remained despite the changes.

Fundamentally, our objections to the proposed amendment deleting the north-eastern urban extension to March are;

- ❖ The decision to delete the north-eastern allocation and re-assign part to the south-west and part to windfalls appears to be politically driven and not based upon robust evidence. It is not justified.
- ❖ The Council have applied an *ex post facto* justification for the changes in the form of a revised Sustainability Appraisal. The SA should inform the content of the Plan. The evidence in this instance is that the Plan has informed the SA.
- ❖ There is no adequate justification for the changes. There is no evidence in relation to the ability of the SW quadrant to accommodate the increased level of development, and insufficient information upon its deliverability.
- ❖ The increased windfall allowance consequent upon de-allocation of the NE Quadrant is neither reasoned nor justified.
- ❖ Increasing the target level of provision in a broad location of growth, and increasing windfall provision above the previously accepted and tested level is no guarantee of an increased delivery during the plan period.

MATTER 9: SUBMISSIONS

The Inspector has identified the following issue to be considered in respect of Policy CS9: March.

Q1. (a) Is it clear how the Sustainability Appraisal influenced the final plan, particularly in relation to the changes between the Preferred Options / Proposed Submission Core Strategy (February 2013) that included the North East March allocation and the subsequent distribution of housing to the South West March (broad location for growth) and windfall development?

It is considered that the Sustainability Appraisal does not explain or rationalise how the preferred sites have been identified. Beyond a traffic light scoring system for each of the candidate sites, using a five level scoring against a range of criteria, there is no evidence as to how that scoring translates into the chosen sites, or indeed the distribution of housing across the identified locations. One might reasonably expect that the scoring for a 300 dwelling development, and a 500 dwelling development in the same broad location may be different. In this case there is no differentiation. As part of the SA process, one might reasonably have anticipated that there would be some rational conclusions drawn from the assessment of each area, which considered the relative merits of each site. Whilst one must assume that that process was undertaken in the initial decision to identify land to the north-east of the town, there is no rationale for the subsequent removal of the allocation and its transfer partly to the south-west.

Unfortunately, the evidence would tend to suggest that the decision was exercised part way through the consultation exercise, and that the justification has come after the decision rather than before it.

On our reading of the plan and its associated material, the identification of the north-eastern land was objectively made on the basis of the SA undertaken prior to February 2013. That inclusion was reasoned and justified. It certainly identifies that the location scores more positively against key criteria than others (eg. biodiversity). What is not reasoned and justified is the subsequent decision to delete it and assign the 450 dwelling provision elsewhere. If it is argued that the SA appraisal draws little distinction between the sites in overall terms, then one must reasonably question whether it was fit for purpose. Equally, a broad parity of sites does not in itself provide the justification for the subsequent changes. The north-east allocation was initially chosen based upon the SA appraisal. There is not subsequent, rational justification for its removal, especially given that there has been no change of circumstances in the intervening period.

The Council's justification for the change, comprises a list of 5 rationales set out in the June 13 Addendum. We do not consider that these adequately or acceptably justify the removal of the allocation.

Rationale 1: The Council suggest that the revised proposals to allocate further dwellings to the south-west is consistent with the high level appraisal and therefore equally valid. The absence of any clear assessment or consideration of the four quadrants, and the weighing up of relative merits makes it impossible to reach any clear conclusion on this argument.

There is no meaningful analysis of the assessment methodology and outcomes and no explanation of how the Council, based upon the traffic light scoring, arrived at the rather economical conclusions listed on page 20 of part 2 of the SA. It is the absence of any rational analysis within the SA that makes the Council's broad conclusion on this point superficially feasible, but ultimately unjustified.

Rationale 2: The Council now suggest that the NE site score poorly compared to the other sites. The rationale for this is that it scores red or orange in relation to far more issues than the other preferred sites. This makes absolutely no sense. Firstly, based upon the same traffic light matrix, it was originally concluded that the site was acceptable and suitable. Secondly, this crude retrospective style of scoring the sites was not a methodology articulated in the original SA. It assumes that all factors carry equal weighting, when in fact that is unlikely to be the case (although no guidance is offered as to how the factors should be weighted). Also, such a crude scoring approach seems to run contrary to para. 8.25 of the SA which states; *"It should be noted that a number scoring system (i.e. one where each site scores points for each issue, and the one with most points 'wins' and is allocated) was avoided as it was considered that this can give disproportional weight to a particular issue."*

Rationale 3: This rationale doesn't seek to justify the deletion but justify the re-assignment of the 450 de-allocated dwellings. There is no suggestion that the 450 dwellings are not deliverable in the north-east. Equally, there is no evidence to suggest that they are deliverable in the south-west, or, that an increased windfall allowance is justifiable based upon published evidence. The suggestion that the windfall allowance could be incorporated in a single 250-dwelling development seems to defy logic and fundamentally cuts across the SA and the process of allocating sites.

Rationale 4: The suggestion is that de-allocating the north-east land and re-assigning represents a more efficient use of land, does not withstand robust analysis. Efficiency of land use can be addressed in many ways, for example, through density policies. The suggestion that one site offers the potential for more efficient land use than another is simply not explained or justified. It does not represent a reasoned or justified explanation for the removal of the allocation, and is not justified by the SA.

Rationale 5: The Council suggest that where a range of sites is available, they are entitled to choose any of the available sites. Having reached robust, and justified reasons for allocating the north-east land, it is in our view perverse and unjustified to revert to another site. It is not a reasoned decision, nor one justified by the SA or evidence base.

It is not considered that there is adequate justification for the decision to relocate the housing growth from the north-east to the south west, and to increase windfall housing provision.

At 350 dwellings, the windfall allowance for March was already substantial. To increase that provision to 600, to the point where it equals or exceeds the size of strategic allocations / directions for growth lacks robust justification or analysis. Such an over-dependence upon windfalls must threaten the potential delivery of the plan. There is no evidence that the figure is realistic, and the delivery plan fails to consider the consequences of underperformance.

We consider that the Core Strategy Submission document is **not justified** for the following reasons;

- ❖ The Core Strategy content is not justified by the evidence, in particular the SA
- ❖ The LPA's chosen approach is not considered to be the most appropriate given the alternatives.
- ❖ The SA is not sufficiently clear in the assessment and consideration of the alternative development options for the site
- ❖ The final plan has been justified *ex post facto*; following a political decision to delete a previously preferred site.

We consider that the Core Strategy Submission document is **not effective** for the following reasons;

- ❖ There is insufficient evidence to show that the preferred option for housing delivery in March is deliverable.
- ❖ Over-reliance on windfall development will result in unsound and inefficient delivery of infrastructure

Q1 (b) Are the locations for new urban extensions the most reasonable having regard to all the alternatives?

We are content that the original rationale for the inclusion of the north-east land, as set out in the February 2013 Submission document remains valid.

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