

Saxmundham Town Council

(also for Saxmundham Neighbourhood Plan Steering Group)

Written Hearing Statement on Matters 1 and 2

2nd August 2019

Matter 1: Procedural/legal requirements

Issue: Whether all Statutory and Regulatory requirements have been met?

Community Involvement

1.8 Has the Council complied with the requirements of section 19(3) of the 2004 Act with regard to conducting consultation in accordance with the Statement of Community Involvement?

1. No, in a fundamental respect. Saxmundham Town Council, businesses and residents were not consulted at the outset (at a formative stage) in accordance with the process set out at page 11, “Pre production/evidence gathering - The information needed for the plan is prepared and issues and options identified.” In particular, until the First Draft Local Plan was produced, the concept and proposed location and scale of development of the South Saxmundham Garden Neighbourhood (SSGN), a key strategic element of the Plan, was not subject to consultation at a formative stage, which has contributed to the continuing policy shortcomings and radically changing site proposals between later drafts.

2. See also NPPF paragraph 16: “Plans should c) be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees”.

3. This matter is of even greater importance, since the proposal for a Garden Neighbourhood not only included a physical division (the railway) making the site relatively incoherent, but the land in question is divided between two parishes – Saxmundham and Benhall – which are given different categories and functions in the settlement hierarchy. Benhall is defined as a small village, Saxmundham as market town, acting as service centre offering facilities for the hinterland including Benhall citizens. Yet no consultation took place on the proposal, which treats the proposed new development as in effect being “Saxmundham”, or its impacts on our respective parish/town council responsibilities, nor on whether and if so what parish boundary changes were foreseen to reflect the plan, nor on the CIL and precept-related financial impacts for both. This led to the wholly misconceived initial proposal in the first draft Plan involving housing and other built development on both sides of the railway, and then (also without specific consultation with us on the consequences prior to “launch” of the draft Final Plan) the current proposal in which all the built development would take place west of the railway – but with the large majority of housing being indicatively located in Benhall.

4. We have at all stages made clear that Saxmundham Town Council supports a decent level of population growth and new housing development, but have on reasonable grounds different proposals from those put forward, including the proposal to build a very significant amount of new housing to the east (Church Hill) rather than squashing all development into a constrained and less

satisfactory site divided by railway and bounded by a major highway (also due to carry Sizewell C traffic for many years ahead). There was therefore no reason not to cooperate at the outset with the Town Council and Neighbourhood Plan Steering Group in assessing options for the proposed strategic growth in Saxmundham (plus Benhall).

5. Over the summer the Saxmundham Neighbourhood Plan Steering Group carried out a household survey, delivered to all households, from which we have had almost 1000 residents' responses. This included a question on their preferred location(s) for where 800 new homes should be built (we gave a map showing 3 sites, sites 1 and 2 to the south, site 3 to the east):

- SSGN Sites 1 and 2 (covering sites on both sides of rail, the first draft Plan proposal) has **8% support**,
- Site 1 (the current SSGN proposal to locate housing to the west of the railway) **18% support**,
- Site 3 (all to the east, up Church Hill) has **35% support**, and
- a division between Sites 1 and 3, **20% support**.
- The balance is made up of those with other proposed locations and those with no specific preference

(We attach an annex giving more information on some of the housing-related outcomes of the survey).

6. The lack of consultation at the formative stage was therefore not merely a procedural flaw but has had major negative impact on the whole Plan process. It means that (a) Saxmundham's residents and businesses were given no say at the key formative point, and (b) that the obvious administrative and financial consequences for the Town Council were ignored, and are still being ignored. And despite raising the issue several times with SCDC's planners, no clear answer has been forthcoming on whether the District Council has proposals for dealing with the financial and administrative impacts, including CIL.

Matter 2: The Suffolk Coastal Spatial Strategy

A Housing Provision

Issue: Is the overall strategy and provision for housing development effective and justified?

Calculating the housing need

2.1 Is the figure of 542 homes p.a. justified as the minimum number of homes needed in the Plan area on an annualised basis?

2.2 What implications (direct and consequential) for the Plan would arise from the use of a housing need figure derived using the 2014 based household projections?

2.3 The Plan seeks to provide for a contingency above the minimum housing need requirement. What is the overall provision for contingency (including the windfall allowance and contributions from Neighbourhood Plans) proposed and is it justified?

7. We have not tried to test the Council's latest calculations using the 2014 projections which show a requirement of 515 per year uplifted to 542 using latest affordability ratios. Assuming its mathematical correctness, we contend that use of this figure is justified as the baseline number for the Plan. Moreover, the PPG requires that, where the minimum is to be exceeded for good cause,

“This will need to be assessed prior to, and separate from, considering how much of the overall need can be accommodated (and then translated into a housing requirement figure for the strategic policies in the plan)”.

8. This has not been done by the Council, which has instead simply argued to retain the figure of 582 – produced from a different set of calculations outwith the PPG - by increasing enormously the assumed percentage of “contingency”. Given the fact that the contingency is added by the Council not to the ‘residual need’ but to the total ‘housing requirement’ (much of which is relatively secured by existing planning consents), increasing the contingency from 8.5% to 16.5% without policy justification demonstrates an absence of overall justification or effectiveness.

9. Taking a standard-generated figure of 542 units per year, the total ‘residual need’ that flows from this comes to 2758, prior to any contingency or allowance for windfall. The new allocations set out in the draft Plan including the contingency – if they were to remain unchanged – come to 4370. This amounts to 58% over the ‘residual need’ figure. If we add in the 800 ‘windfall’ units, the residual need remains 2758, but the total new (allocations + windfall) comes to 5170, which is an effective uplift of 87%. This is excessive and unjustified. In fact a similar logic applies even taking the Final Plan figure of 582 per year.

10. The NPPF does not refer to adding a contingency; rather, at paragraph 73 it provides:

“The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:

- a) 5% to ensure choice and competition in the market for land; or
- b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
- c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.”

11. The Council has not sought to argue that (c) applies, so we cannot see that a contingency of 16.5% could possibly be justified under the NPPF. It seems to us that the Council could apply either (a) or (b), if it justified the relevant level.

12. One major implication, therefore is that the proposed new housing allocations are not soundly based, and need to be reviewed ab initio. A key component of the Plan is unsound in itself, and the major allocations in it are consequently flawed at the outset, in addition to any other grounds of unsoundness.

13. We have compared the “residual need” figures according to the draft Plan and using the 2014-based figures:

(1) Existing draft Final Local Plan:

Total commitments to 31.3.2018 - 6998

Housing requirement 10476 = 582 a year (divide by 18)

Residual need 10,476 – 6,998 = 3,478 residual need.

This is before adding a contingency of 8.5%, or 890 units, to the total of 10476, bringing the total residual number to be allocated of 4370 (3478+890).

(2) Using 542 per year to 2036

Housing requirement	9756
Add contingency of 10% =	10732 (9756 + 976)
Less total commitments	6998
Residual need	3734 (10732 – 6998)

(3) This leads to a decrease in the overall residual need from that set out in the draft Plan of 636 for the Plan period.

Old 4370 – new 3734 = 636

NB Since the Council maintains that a total of 800 “windfall” dwellings will be forthcoming, the total that will be achieved is increased by 50 per year, in all scenarios.

14. Our conclusion is that for a town such as Saxmundham, a new (slightly reduced) allocation of 500 or 600, as against the currently proposed 800, can be made without adversely affecting the Plan’s overall housing need. This reduced quantum for our town – if planned correctly in terms of types and size of housing etc. – is sufficient to enable a new primary school to proceed.

C Distribution of Growth and the Settlement Hierarchy

Issue: Whether the Plan sets out a clear strategy for the pattern of development consistent with national policy?

2.17 Is the strategy for growth set out in Policy SCLP3.1 justified and would it be effective in delivering sustainable development?

15. We have hitherto in written representations challenged SCLP3.1 in particular as it relates to the current proposal for South Saxmundham Garden Neighbourhood. Our challenge on this point is now strengthened and added to, since use of 2014 baseline household projections, allied to a justifiable contingency, mean that the draft Plan does not need to provide the level of housing set out. The reference to 582 homes per year is no longer sound, for reasons given. (See response to *Calculating the housing need* above). We are not against the “Garden Neighbourhood concept” as such, but it needs to be deliverable within Garden Community and City principles and not simply a marketing puff.

16. We do not believe the existing SSGN proposal, an important element in the strategy for growth, will be effective in delivering sustainable development given site constraints and infrastructure costs. So a reduction of 200 or 300 in the new allocation for Saxmundham would be more likely to enable a real Garden Neighbourhood to be created, and effective in delivering sustainable development.

2.19 Is the distribution of housing development as set out in table 3.5 justified and is it consistent with national policy for the achievement of sustainable development?

17. It is not justified. The allocation to Saxmundham, a market town in the settlement hierarchy, is 800 new dwellings, with a total of 960 new dwellings to include previous allocation. If the 2014 baseline is correct for calculating the residual need for new, as we think is so, then 800 in

Saxmundham represents 29% of the residual need of 2758 (before contingency). This scale of development on the Council's site between railway and A12 is not justified by the 'residual need' calculations.

18. Moreover, the allocation to 'Saxmundham' is in reality to the parishes of Saxmundham and Benhall – Benhall is defined as a small village in the hierarchy, yet most of the new housing would (according to the indicative masterplan) be in Benhall. Table 3.5 does not mention this, and refers to an allocation to Benhall of 50 units. This is an important matter since Saxmundham is the service centre for the surrounding villages but as Town Council we would not (as the Plan stands) get any CIL for housing to be built in Benhall parish.

19. Our town tax base, modest as it is, depends on community chargeable premises. So creation of new homes that will look to Saxmundham for services, and are to be closely integrated into Saxmundham (as the Plan argues) but are located in another parish, will cause a perverse and misaligned tax base. It would also seem logically to lead to people identifying their 'settlement identity' as Saxmundham paying taxes to another parish.