

Response to EXAM128 from Bishops Tachbrook Parish Council regarding WDC notes on the Parish Council Written Statement to Matter 3. 28/11/16

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## Part A

1. When the BTPC statement was written in October 2016 it was based on the latest available data of June 2016 on a file that was last modified by WDC on 12/9/2016. Last week a new version was received from the Programme Officer and this has been examined and there are less faults than the previous version, but there remain serious concerns on parts of the Appendix 1 of Exam 27.

### A Windfall allowance.

Appendix 1(d) shows an allowance of 98 dwellings per year from 2019/20 to 2028/9. There is no allowance for the years 2016/7 to 2018/9. This is a total allowance of 982.

In the BTPC written statement on matter 3 dated October 2016, in paragraph (f) on page 12, it was identified that 4,410 genuine windfalls have been granted permission in the first 5.66 years of the programme period, a rate of 792 dwellings per annum.

At the initial hearing in para 32 of the letter to the District Council, it was found that the windfall allowance in Exam 20 was reasonable for rural sites at 22 per annum, urban conversions & changes of use at 50 and urban sites of less than 5 dwellings at 8 per annum to be allowed. For urban redevelopment and new build this should be based on the 300 SHLAA sites identified over the remainder of the plan period as being reasonably certain. This is over a period of 12 years and is equivalent to 25 dwellings per annum, making an annual total of  $22 + 50 + 8 + 25 = 105$  dwellings per annum. This figure should be used in each year of the remaining period of 13 years in Appendix 1(d) making a total of 1,365.

The actual number of permissions granted in 2015/16 and 2016/17 to date total 1,785, which in itself, far exceeds the total allowance for the remaining 13 years in 1.66 years demonstrating that windfalls are significant and are likely to continue as long as house prices attract investment.

### B Completions.

The sole purpose of setting a housing programme is to achieve completions. In Appendix 1(a) Completions total 2,102 up to the end of 2015/16. An assessment by BTPC shows that this has been exceeded with a cumulative total of 2,213. During 2016/17 so far, a further 532 dwellings have been completed giving a total of 2,824 dwellings. Compared with the 2014based DCLG projection by 2029 of 8,054 this represents 35% of the District Council requirement achieved in 31% of the programme period. At the same time, there are

currently 10,124 planning permissions granted that can be expected to complete well within the programme period with 2,561 already on sites that have commenced construction.

C Keeping up to date data available from which to set the Local Plan.

The housing topic paper needs to be up to date. There seems to be a mixture of elements specifically selected up to May 2016 that identifies completions, 2,102, commitments at April 2016 of 7,045 and other commitments for April/May 2016 of 225, totalling 9,372.

A comparison of the list of sites in appendix 1(b) of the housing trajectory paper exam 70, shows that there are 10,140 sites in the system of which 2,338 are not in Appendix 1(b) of Exam 70, unless they are in the list of unspecified completions in appendix 1(a). This lack of accounting across the piece leads to confusion as to what has or has not been accounted for.

In EXAM 128 para 1b, WDC state that BTPC seems to have misinterpreted the housing topic paper as being a complete picture of the position, which WDC says it does not. So how is it a housing topic paper that leads to the successful achievement of a housing programme? Who knows what has or has not been included other than the author? It contains figures that purport to be correct when determining the 5 year housing land supply, for which all the data is needed.

The BTPC assessment integrates all the necessary data in such a way that it is possible to find matters that the WDC have not included in EXAM70. It finds that –

- i) 2,338 net dwelling sites are not included in the commitments pages of EXAM 70 and provides a list of the sites affected. Of these, 584 have planning permission but have not yet started on site, 88 are under construction and 1,666 are complete.
- ii) In total, there are 10,140 planning permissions granted that will lead to completions within the plan period. Of these, 4,750 have planning permission but have not yet started on site, 2,566 are under construction and 2,820 are complete. These are all verified by the WDC website that contains all the planning applications and building regulation submissions and from which the data was obtained.
- iii) It provides a list of sites that have completed for each programme year. This is attached at Annex A to this statement, detailing each site, the number of completions with an annual total and a cumulative total for the programme. This is generated by the spreadsheet.

In EXAM 128 para 1c, WDC state that BTPC Appendix 1 is very detailed but is confusing and is not easy to filter because colours are used. Colours are used for 3 purposes,

- first to identify important data results by red, amber green traffic lights to show good, doubtful or no evidence to support inclusion;
- second to identify stages of development of each site i.e., with planning permission, being built and complete with start on site date and completion dates. The analytical data within the spreadsheet leads to an interactive range of totals of such things as windfalls, completion tables, spatial distribution data etc.;

- thirdly to data sort by colour specific issues such as which sites are in both BTPC and WDC lists and which are one or the other. They then allow the compilation of Tables 1, 2 3 & 4 in the BTPC Written Statement for matter 3 and its operation is described on pages 4 to 7 of the Statement.

The suggestion that BTPC provides a supplemental list of sites that have not been identified is welcomed and is attached at Annexe B. For completeness Annexe C shows the comparison of the BTPC assessment with WDC EXAM 70, to a very small scale that is better seen from the XLS spreadsheet.

EXAM 128 1d – BTPC does understand the application numbers used in EXAM70. BTPC uses only the 15/0001 planning application number for consistency and simplicity when checking for double counting, planning history links for any particular site, relevant dates etc.

EXAM 128 para 2. This is an untrue assertion. EXAM70 clearly states that it only includes permissions granted up to and including May 2016. There are only 6 sites with a planning application number of W/16/0000 in Exam 70. This then does not take into account all the applications that have been granted during 2016/17 which is now 67% complete. This is a significant piece of data that is required if a sensible local plan is to be prepared.

None of the data is out of date or misinterpreted. We have effectively started from scratch using the planning and building regulation data on the WDC website. This provides all the data necessary to produce a database that the WDC EXAM70 can be checked against. It is robust and evidenced based and organised in a comprehensive manner set out in such a way that anyone with the time and patience can crosscheck against the available data. An accountancy check on the process and results, based on a sample test, has been carried out to ensure its accuracy. The only limitation is where any piece of data is missing from the website. Where doubt occurs then drawings will be referred to and/or site visits made to verify completions.

EXAM 128 para 3

Addressing the 9 applications

- Neither W/11/1251 nor W/12/1370 are in the cumstart comparison sheets of in Exam 70 or previous versions of them. Academy Drive and the phases of Gog Farm were difficult to sort out and the boundaries between them difficult to work out from the drawings. Plots were numbered and reference to building regulations lists led to the numbers being listed under one or the other. There were different building regulation references to both sites as can be seen from the full version of the register attached to the BTPC written statement.
- W/12/0713 is shown on the register referred to and the note "*phase 9b 18 units 578 to 594 +619+620 +647* " added showing the number of dwellings to be 21, not 8. Building regulation ref BC/12/00833/API refers.
- W/12/0789 3 Clarendon Place is a conversion of an office to an HMO of 12 then 14. Some student housing is considered as an HMO but fewer than 5(?) is not a registered HMO. If a

small group of up to 4 units occupy a house then it is logical to consider this as a single dwelling. But a 12 place HMO is available to individual members of the public for convenient single person permanent use, or until they move on. This is a matter that I referred to in the main written statement on page 12 that should be clarified. If a room has a lockable door but some additional facilities in the property available to it, then each of the inhabitants are independent tenants and as such should be considered as a single person household. Where the property was not formerly a house, as in this case, and can accommodate more than five independent persons, then that should be its contribution to the housing stock. If the student approach is applied to the rest of the population, then the tendency would be for household size to increase and thus require fewer dwellings to house the given population. It is normal for student properties to be registered as such by universities/colleges these days and we know that certainly Warwick University monitors student housing provision. We note it is to be included in the assessment but if it is not registered for student use then it should be at its planned value.

- W/12/0907 Clarendon Manor rest home yes this is for an extension but the PPG applies to all C2 properties whether new or built prior to the NPPF. It would be strange to allow the extension to qualify but not the original care home as they are both doing the same job in providing residential accommodation for older people. The local plan should set out how this LPA will deliver this part of the framework. People moving into these homes release properties back to the market, so it makes sense to do so.

*PPG Paragraph: 037 Reference ID: 3-037-20140306*

*Older people have a wide range of different housing needs, ranging from suitable and appropriately located market housing through to residential institutions (Use Class C2). Local planning authorities should count housing provided for older people, including residential institutions in Use Class C2, against their housing requirement. The approach taken, which may include site allocations, should be clearly set out in the Local Plan.*

- WE note that the other matters are being included in the monitoring process.