



South Bucks Local Development Framework

Background Paper

On Changes to PPS3 and Revocation of the South East Plan

July 2010



South Bucks
District Council

Background Paper on Changes to PPS3 and Revocation of the South East Plan

1.0 Introduction

1.1 Since South Bucks District Council published its Proposed Submission Core Strategy in March 2010, the new Government has made some important changes to the planning system. These include:

- Revisions to Planning Policy Statement 3: Housing
- Revocation of Regional Strategies (including the South East Plan).

1.2 This paper addresses the implications of these changes for the South Bucks Core Strategy.

2.0 Revised Planning Policy Statement 3: Housing

2.1 In June 2010 the Government issued an updated version of Planning Policy Statement 3: Housing (referred to hereinafter as 'PPS3'). The update contained two changes:

- Para 47 - text which previously referred to a national indicative minimum density has now been deleted. The amended text reads:

"Reflecting the above, Local Planning Authorities may wish to set out a range of densities across the plan area rather than one broad density range., although 30 dwellings per hectare (dph) net should be used as a national indicative minimum to guide policy development and decision making, until local density policies are in place. Where Local Planning Authorities wish to plan for, or agree to, densities below this minimum, this will need to be justified, having regard to paragraph 46."

- Annex B - the definition of previously-developed land (often referred to as brownfield land) has been amended to exclude "private residential gardens".

2.2 Some changes to the Proposed Submission Core Strategy are being proposed as a result of these amendments (see Schedule 2, Proposed Submission South Bucks Core Strategy: Schedule of Proposed Changes). Deletion of the national indicative minimum density of 30 dph principally affects Core Policy 8: Built (*and Historic*) Environment. Changes to the definition of previously developed land, principally affects Core Policy 1: Housing Provision and Delivery.

Core Policy 1 - Housing Provision and Delivery

2.3 PPS3 (paragraph 43) requires local development plans to include a target for how much new housing development will occur on previously developed land (PDL). The Proposed Submission version of Core Policy 1 proposes a PDL target of at least 95% for South Bucks, in the period 2006-26.

2.4 This target was supported by monitoring evidence, which under the previous definition of PDL, enabled the Council to calculate with confidence that 97% of the dwellings completed in the early part of the Plan period were on

PDL. It was also based on an understanding that virtually all of the sites with outstanding planning permission, together with the suitable sites identified in the Strategic Housing Land Availability Assessment (SHLAA) would involve development on PDL (as previously defined).

- 2.5 The new definition of PDL will have a profound impact on the percentage of housing development in South Bucks on previously developed land. This is because many of the completions since 2006, permissions, and most of the suitable SHLAA sites involve development on private residential garden land. The difficulty facing the Council is that whilst it understands that the PDL target for South Bucks will need to be lowered, in the absence of any further guidance at the national level, the basis for the calculation of a new target is unclear.
- 2.6 Key issues include:
- How should completions since 2006 be recorded? Many of these completions were on PDL under the old definition, but could be considered greenfield under the new definition.
 - Likewise, how should permissions granted since 2006 be recorded? A considerable amount of work would be involved in reviewing past completions and permissions, to assess whether they now constitute greenfield development
 - How should a scheme be classified, where it involves the demolition of a dwelling (or several dwellings) and their replacement with a scheme involving development partly on the footprint of the old properties, and partly on the former private residential garden land? Does the siting of the new dwellings (i.e. largely on the footprint of the old dwellings, or mainly on the former garden land) have any impact on how a site should be classified?
- 2.7 These issues are particularly relevant in South Bucks, as a large proportion of previous and expected future housing supply comes from backland or plot redevelopment within settlements. This is evident from the latest Annual Monitoring Report for 2008-09 (SBDC, December 2009), which includes at Appendix A a list of outstanding planning permissions, most of which are currently classified as PDL sites. However, several of these sites are described as 'land at rear of', and many others involve the demolition of one or more properties, and their replacement with two or more dwellings. Under the new definition of PDL, many of these schemes might now need to be defined as greenfield development.
- 2.8 Similarly, the SHLAA Final Report (SBDC, September 2009) contains a list of suitable SHLAA sites (see Appendices 7 and 8). The column entitled 'Existing Use' in Appendix 7 contains many references to 'dwellings with gardens' and 'back gardens'.
- 2.9 An initial analysis of the outstanding permissions and suitable SHLAA sites suggests that under the new definition of PDL, around 50% of the new dwellings anticipated, could constitute development on greenfield land. If the new definition of PDL were to apply from the time the revised PPS3 was issued (i.e. from June 2010 onwards), so that the PDL target could continue

to take account of the 97% PDL rate on the 767 dwellings completed in the early part of the Plan period¹, the situation might be as follows:

Estimated total supply (excluding Opportunity Sites)	= 2,331 dwellings units
767 completions 2006-2009 at 97% PDL	= 743 units on PDL
1,564 remaining supply at 50% PDL	= 782 units on PDL
Total units occurring on PDL over Plan period	= 1,525 = 65% of total supply

- 2.10 This example gives some indication of the potential impact of the new PDL definition. If the new definition needed to be applied to the whole of the Plan period, inclusive of all completions since 1st April 2006 (which make up a substantial proportion of the overall housing target for the Core Strategy), the change to the PDL target for South Bucks in the period 2006-2026 would be even more significant.
- 2.11 There would be a considerable amount of work involved in reviewing the outstanding permissions (and potentially the completions data) to derive new figures based around the new definition of PDL.
- 2.12 In summary, the Core Strategy needs to be changed to reflect the fact that, as a result of the revised PDL definition, the Council will not be able to deliver 95% of all new housing on PDL over the Plan period. With the limited time available between the amendments made to PPS3 and Submission of the Core Strategy, and given the uncertainties outlined in paragraph 2.6 above, the Council is unable to propose a local PDL target at this time. The Council has written to DCLG seeking clarification on the above matters. Prior to the Pre-hearing meeting, the Council will prepare a paper setting out its proposed PDL target, either based upon advice from DCLG, or having set its own parameters.

Core Policy 8 - Built Environment²

- 2.13 PPS3 states that local planning authorities should develop housing density policies, having had regard to a number of factors (paragraph 46). It adds (in paragraph 47 as amended) that a range of densities may be set across the plan area rather than one broad density range. Core Policy 8 of the Proposed Submission Core Strategy proposes a local average density target for South Bucks of no less than 30 dwellings per hectare (dph). This was set having regard to local monitoring data, the national indicative minimum density of 30 dph (as previously contained in PPS3), and the overall regional target of 40 dph included in the South East Plan (which is now no longer in effect, following the revocation of Regional Strategies).
- 2.14 Annual monitoring data for the period 2004-2009, shows that the recent net average density of permitted development in South Bucks (on land excluded from the Green Belt) has been between 22 and 34 dph. These figures are a

¹ 1st April 2006 up to 31st March 2009.

² Note that the title of this policy is proposed to be changed to 'Built and Historic Environment', as part of the Schedule of Proposed Changes.

reflection of the character of the District, which has no central urban focus. As a consequence, very high density development schemes are few and far between. In addition, two of the three Principal Settlements in the district (Beaconsfield and Gerrards Cross) are characterised by large properties in spacious grounds. New development in these settlements (and others) has tended to be at relatively low development densities, to ensure it is in keeping with its surroundings, and to help minimise any adverse impact on townscape character.

- 2.15 In announcing the changes to PPS3, the Government stated that the “changes emphasise that it is for local authorities and communities to take the decisions that are best for them, and decide for themselves the best locations and types of development in their areas.” Accordingly, the Council has reviewed the net average density target of 30 dph included in the Proposed Submission Core Strategy.
- 2.16 At the time of drafting the Proposed Submission Core Strategy, there was a recognised “tension” between local monitoring data and the national indicative minimum density target included in PPS3. The amendments to PPS3 provide the Council with the opportunity to express the density target as a range, centred on 30 dph. The proposed range of 25-35 dph reflects local monitoring data, whilst providing a little more flexibility to take into account the location and type of schemes that might be completed in any given monitoring year.
- 2.17 The proposed range of 25-35 dph encourages a modest increase on past trends to help ensure development makes efficient use of land.

3.0 Revocation of Regional Strategies

- 3.1 On 6th July 2010, the Government announced the revocation of Regional Strategies with immediate effect. Guidance produced by Department of Communities and Local Government (DCLG) to accompany the announcement makes it clear that Local Planning Authorities should continue to bring forward their Development Plan Documents, stating that “the revocation of Regional Strategies is not a signal for local authorities to stop making plans for their area”. It adds that local planning authorities should continue to develop core strategies, reflecting local people’s aspirations, although authorities may decide to review and/or revise their emerging policies in the light of the RSS revocation.
- 3.2 The Core Strategy was prepared with a view to generally conforming with, but not duplicating, regional policy contained within the South East Plan. As a result, the only targets that were set by the South East Plan which have strongly influenced specific local policy content in the South Bucks Core Strategy are:
- The region-wide affordable housing target (Core Policy 3)
 - The 10% renewable energy target (Core Policy 12)
 - The District-level housing target (Core Policy 1)
- 3.3 In addition, Core Policy 4 was drafted in anticipation of a partial review of the South East Plan in the near future, identifying pitch requirements in each local authority area for gypsies, travellers and travelling show people.

Affordable Housing Target

- 3.4 The Proposed Submission Core Strategy already seeks a higher proportion of affordable housing (40%) than the region-wide target (35%), based upon local evidence of need and viability³. The absence of the South East Plan target should therefore have no substantive impact on this element of the Core Strategy.

Renewable Energy Target

- 3.5 In relation to renewable energy, the evidence base for the South East Plan remains relevant in supporting the proposed requirement for developments of 10 or more dwellings, and 1,000 m² or more of non-residential floor space, to secure 10% of their energy from renewable or low carbon sources. The District has very high per-capita CO₂ emissions, and there are increasing requirements in emerging national policy⁴ which make it appropriate to continue with this proposed requirement in the Core Strategy.

Gypsies, Travellers and Travelling Showpeople

- 3.6 Although Core Policy 4 needs a minor amendment to remove reference to the South East Plan as the source for identifying gypsy and traveller pitch requirements in the District, the absence of the South East Plan does not fundamentally affect the main thrust of the policy, which is to provide criteria for assessing the suitability of potential new sites.

Local Housing Target

- 3.7 The Proposed Submission Core Strategy provides for a net increase of 2,200 to 2,800 dwellings in the period 2006 to 2026. The South Bucks Core Strategy and its Evidence Base have been prepared over a number of years, in the context of an emerging, and then an adopted, South East Plan. The final South East Plan set a housing requirement of 1,880 net additional dwellings for South Bucks District, so this has been a point of reference for considering how much housing should be delivered by the Core Strategy during its preparation.
- 3.8 However, the revocation of Regional Strategies has removed the policy basis for requiring at least 1,880 dwellings to be delivered in the District. The DCLG guidance note produced on 6th July states that Local Planning Authorities will be responsible for establishing the right level of housing in their areas, with housing numbers to be justified and defended during the examination process. The guidance note adds that "some authorities may decide to retain their existing housing targets that were set out in the revoked Regional Strategies."

³ Refer to the Strategic Housing Market Assessment (Fordham Research, 2008), the Development Economics Study Update (Three Dragons, 2010) and the Affordable Housing Background Paper (in-house, 2010) for further detail on the justification for the affordable housing requirement and overall delivery target.

⁴ Planning Policy Statement: Planning for a Low Carbon Future in a Changing Climate (Draft) - Supplement to Planning Policy Statement 1

- 3.9 The housing target range included in the Proposed Submission Core Strategy exceeds the requirement set for the District by the South East Plan, in response to local evidence such as high levels of affordable housing need together with high numbers of completions and permissions early in the Plan period. For the reasons set out below, the Council intends to retain the housing target range set out in the Proposed Submission Core Strategy.
- 3.10 The Evidence Base for the Core Strategy includes a Strategic Housing Market Assessment (Fordham Research, 2008), which provides estimates on a variety of factors affecting local housing needs. It estimates that the number of households in South Bucks increases by 2.2% each year, amounting to 578 new households being formed each year. It also shows that whilst the population of South Bucks is forecast to remain broadly stable over the Plan period, changing demographics will create a need for more houses of certain types and sizes. In addition, it demonstrates a high level of need for affordable houses in the District, estimating that 459 new affordable dwellings would be needed each year in order to meet these needs fully.
- 3.11 The SHMA indicates that the Core Strategy should ensure that more dwellings of the right type and affordability are available in the District over the Plan period. A key advantage of planning to exceed the SEP target is that this will enable delivery of more affordable housing, in response to the local need identified in the Evidence Base, as well as ensuring further opportunities to deliver a range of housing types and sizes.
- 3.12 However, there are several constraints affecting the capacity of the District to accommodate new housing development - particularly the extent of the Green Belt (the District lies wholly within the Metropolitan Green Belt), the special character of individual towns and villages, as well as valued historic and landscape character, and the Burnham Beeches Special Area of Conservation near Farnham Common and the Chilterns Area of Outstanding Natural Beauty near Beaconsfield. The Council has given much consideration to how to deliver new housing in the District whilst working within these constraints.
- 3.13 At the same time, issues of responding to housing need cannot be considered in isolation within the District's boundary. It must be reasonably recognised that other local authority areas adjoining or near to South Bucks, with fewer constraints and larger urban areas (with the potential to accommodate higher density development) are better placed to deliver a large portion of the housing needs arising to the west of London. As such, evidence of theoretical housing need arising from South Bucks' population is not necessarily directly linked to how much housing can and should be delivered within the District. Some of this need could more appropriately be accommodated in adjoining or nearby areas.
- 3.14 Capacity for future housing within the District has been assessed in the Strategic Housing Land Availability Assessment (SHLAA) (in-house, 2009). This estimated a total supply of housing during the period 2006-2026 of 2,731 dwellings (inclusive of completions and permissions since 2006, and of the Wilton Park and Mill Lane Opportunity Sites). The potential future supply identified on suitable sites without planning permission ('SHLAA' sites) was 611 dwellings.

- 3.15 The Council has considered the potential implications of the amendments to PPS3 on the identification of SHLAA sites. In contrast to evidence of local needs, which relate to questions of 'is enough housing going to be delivered?', the implications of the changes to PPS3 on estimated future capacity in the District may raise questions of 'is the housing target unrealistically high?'
- 3.16 As noted above, there are two changes in the revised PPS3 - excluding residential garden land from the definition of PDL, and removing the indicative national density target of 30 dph.
- 3.17 In relation to the exclusion of back garden land from the definition of PDL, the Council has considered whether the particular sites, and thus the overall amount of land, identified as being available for future development is still appropriate. It is noted that the changes do not introduce any presumption against the development of residential garden land. The thrust of the policy in PPS3 remains focussed on new housing occurring in suitable locations offering good access to services and facilities. Given the Green Belt constraint in South Bucks, there are few non-residential sites within the settlements (i.e. on previously developed land as now defined) which offer opportunities for residential development. The results of the SHLAA are not affected by the change, as the development of suitable residential land within settlements, inclusive of back garden areas, will continue to be an important source of land supply for new housing, as these are the most suitably located opportunities within the District.
- 3.18 The SHLAA was prepared when there was both a national (30 dph) and a regional (40 dph) density target in place. As these have now been removed, the Council has also considered whether the density assumptions underpinning estimates of yield on the SHLAA sites remain appropriate, and whether the projected housing supply would be significantly different if they were lower. A sensitivity analysis using lower densities more akin to recent trends (see paragraph 2.14 above) shows how the potential capacity would be reduced:

Settlement Size	Density assumption in Final SHLAA	Lower density assumption for sensitivity check
Principal settlements - within 250m of settlement centre	45	35
Principal settlements - more than 250m outside of settlement centre	35	25
Secondary and Tertiary settlements		
Rural (GB3) settlements	20	20
Potential units from SHLAA sites	611	450

- 3.19 It can be seen that altering the density assumptions would have a relatively modest affect on the SHLAA yield. At the same time, a further year's housing monitoring data⁵ shows that the District's supply of deliverable

⁵ Not yet published

housing sites continues to strengthen. Net completions and permissions since 2006 now amount to almost 1,900 dwellings. Therefore, even allowing for the reduced potential capacity from the sensitivity check, the District's estimated potential housing supply would still be around 2,350 dwellings (excluding any housing from the Wilton Park and Mill Lane Opportunity Sites).

- 3.20 The Council therefore feels that the SHLAA continues to provide robust evidence informing the housing target, and that 2,200 to 2,800 units continues to be a realistic range for the Core Strategy to deliver. There is some flexibility within this range to allow for the occurrence of lower densities than have been assumed, and/or for some of the identified SHLAA sites not to come forward for development.
- 3.21 The transport and infrastructure needed to support new development has also been considered in setting the housing range included in the South Bucks Core Strategy. The results of the infrastructure planning work support the proposed target, rather than seeking to deliver a higher level of development. Higher levels of new housing development have been tested - demonstrating that it would be increasingly difficult to deliver the infrastructure needed to support local communities, with new strategic transport infrastructure being needed sooner rather than later. There is currently no prospect for delivering such new infrastructure in the shorter term, so the proposed range and rate of housing delivery is supported by an understanding of what is manageable to ensure adequate transport and infrastructure is in place.

4.0 Conclusions

- 4.1 The new Government has made some important changes to the planning system since the Council published its Proposed Submission Core Strategy in March 2010, including to PPS3 and by revoking Regional Strategies. The Council has given careful consideration to the implications of these changes to the Core Strategy.
- 4.2 The changes to PPS3 relate to the removal of the indicative minimum density of 30 dph and the removal of private residential garden land from the definition of previously developed land. The deletion of the indicative minimum density figure from PPS3 has allowed the Council to propose expressing its density target as a range, centred on 30 dph. The change in the PDL definition has presented a problem (as evidenced above) - but the Council is committed to presenting a revised PDL target at the Pre-hearing meeting.
- 4.3 With regards to the revocation of the South East Plan, the Council has reviewed the Proposed Submission Core Strategy and concluded that the dwelling range set out in Core Policy 1 remains appropriate.
- 4.4 On the advice of the Planning Inspectorate, the Council has included changes to reflect the revocation of the South East Plan and the amendments to PPS3 in its Schedule of Proposed Changes, submitted alongside the Proposed Submission Core Strategy.



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