

**Re: HUNTINGDONSHIRE LOCAL PLAN TO 2035
SUSTAINABILITY APPRAISAL EXPLANATORY NOTE**

OPINION

Introduction

1. I am instructed in this matter by Paul Hill, Senior Director of RPS on behalf of Larkfleet Homes (“Larkfleet”). Larkfleet is in control of Sibson Aerodrome (“Sibson”) a site that is being promoted as a Garden Village – a new sustainable settlement for up to 2,500 homes and associated infrastructure. Larkfleet is presently working towards the submission of a planning application, and further details have been provided as part of Larkfleet’s Matter 6 Hearing Statement.

2. In July 2016, the site was the subject of a submitted expression of interest (“EoI”) to the Government by Larkfleet and the Council, but unfortunately, was not selected in the first wave Garden Village bids announced in January 2017. Gavin Barwell MP, Housing and Planning Minister at the time, recognised the potential of the site in his letter to Larkfleet in January 2017 commenting that there was much to commend the proposal in terms of vision and commitment to innovation. The Council’s letter of the 3rd January to Larkfleet did not withdraw its support for the site, but made clear that going forward, the Council’s expertise would be concentrated on the delivery of its new local plan.

3. I attended the Huntingdonshire Local Plan Examination Hearing into Matter 1 on Tuesday 17 July 2018 at which the Council’s Sustainability Appraisal was considered. RPS has previously submitted a hearing statement on behalf of Larkfleet raising concerns about the Final Sustainability Appraisal (“FSA”) CORE.07, and those submissions were expanded on at the hearing. At the end of the hearing that day, the Council said that it would provide an

explanatory addendum dealing with the issues that had been raised in respect of the FSA insofar as possible. I made representations on behalf of Larkfleet urging caution in respect of inappropriate ex post facto justification for the promoted growth distribution strategy.

4. A Sustainability Appraisal Explanatory Note (“SAEN”) has now been produced (EXAM/03) and this Opinion deals principally with the issue of Distribution of Growth at part 3 of the SAEN.
5. In summary, the SAEN does amount to inappropriate ex post facto justification of the adopted strategy for reasons that are expanded on below. The SAEN itself acknowledges at para 3.19 that:

“It is accepted that it would have been more helpful if the Final Sustainability Appraisal had explained the process that was undertaken in relation to the assessment of these option.”

6. The report then goes on to provide “clarification” without any apparent evidential basis other than Appendix 2 “Summary Table of Site Sustainability Appraisals” which is alleged to “summarise” the sustainability appraisal of the sites included. It does not, and in fact misrepresents the site specific SA of Sibson Aerodrome. Accordingly there remain very real concerns about the Council’s FSA and the document’s compliance with both statute and national planning practice guidance.

Opinion

7. Initial SA work was consulted on between February and March 2012 and a SA Report was prepared in late 2012. Three potential strategic expansion locations (“SEL”) were pursued at that time, and formed a key component of **all three** proposed growth distribution options, that is:

- (i) The High Concentration option;
- (ii) Growth in Large Settlements option; and
- (iii) The Dispersed Option.

8. There was not a growth option considered that didn't include three SELs. The strategy was inevitably a response to encouragement by the NPPF (2012) para 52 that:

“The supply of new homes can sometimes be best achieved through planning for larger scale development, such as new settlements or extensions to existing villages and towns that follow the principles of Garden Cities.”

9. It is a sound strategy, and one with which Larkfleet agrees. Indeed a lot of the sustainability criteria were well met by providing growth at three SELs and focusing growth in larger settlements; see in particular pp.157-158 of the FSA - reducing the need to travel, air pollution, and promotion of the quiet rural character of the district for example. The distribution of growth that was rejected as being the least sustainable option was the Dispersed option; see FSA, p.163.

10. It will be understood that as one of the three SELs, Wyton Airfield was a key component of all three options; see FSA p.152. However, crucially, as the SAEN acknowledges at para 3.12, in early 2017, Wyton Airfield was removed as a SEL. The loss of the SEL (4500 homes) meant that the approach to the distribution of development therefore had to change to respond to the hole that Wyton left.

11. That change, and what is now proposed is explained in on at page xxiv of the FSA. The following points are salient:

- (i) Wyton was removed as a result of the Strategic Transport Study that demonstrated the SEL was not deliverable at that time.
- (ii) Instead, there were to be a series of allocations in the three villages of Alconbury, Bluntisham and Great Staughton. They were proposed to be identified as an additional tier in the settlement hierarchy to be known as “local service centres. It was regarded as “a significant change” from the approach that included 3 SEL’s and growth in larger settlements.

12. On page xxvi the FSA comments that there will be some sustainability impacts because of the addition of local service centres:

“The addition of local service centres somewhat reduces the sustainability of the policy due to doing less overall to reduce the need to travel. However local service centres will help support the rural economy and will help meet local housing needs.”

13. Fundamentally, the issue is this - there was a decision made following the withdrawal of Wyton Airfield that growth had to be distributed differently. The strategy that has now been settled on, without any assessment or appraisal of reasonable alternatives, is to:

- a) Accommodate significantly more development at Alconbury;
- b) Direct significantly more growth to the key service centres (1540 as opposed to 973); and
- c) To add a new tier in the hierarchy of Local service centres.

14. It is acknowledged that at the time the distribution of growth was being amended that the OAN had been reduced to 20,100. However, it is also plain that the removal of Wyton SEL from the proposed distribution left a shortfall in housing land that had to be made up. The loss of the SEL was not only the

single most significant factor in the need to identify further land for housing, it also meant the new strategy settled on by the Council arising from that loss, was in fact less sustainable as acknowledged at p. xxvi of the FSA.

15. That fact in itself should have prompted the Council to consider whether there original preferred strategy - growth in larger settlements including three SELs – should be retained by the identification of a further SEL to replace Wyton. It didn't, and there is no evidence produced in the SAEN that it did. Further, given that the proposed strategy including Wyton was no longer deliverable, it was absolutely incumbent on the Council to properly revisit the issue of distribution of growth and consider the reasonable alternatives for delivering the growth required as against the proposed approach. There is no evidence that the Council at that stage or any stage thereafter considered **any** reasonable alternatives before settling on the final distribution of growth that is now set out in the Plan.

16. The Council points to 4 factors that are said to have influenced the changes in the preparation of the 'Final Distribution of Growth Option'; see SAEN at para. 3.15. The first two bullets have been dealt with above, but it is surprising that the Council identifies at the third bullet point the publication of the White Paper in February 2017 'Fixing our broken housing market' as influencing the change. It is said that the White Paper emphasised the re-use of previously developed land and support for small and medium sized sites and thriving rural communities. If that was a genuine influence on the change to the distribution of growth, one would expect to see some reference to it in the FSA. In truth, the NPPF sets out the policies that consider and support both of those issues. They were not new.

17. There are in fact only two references to the White Paper; see paras. 621, and 7.38. What is said about it is this:

"The White Paper 'Fixing our broken housing market' (February 2017) set out

the government's intentions to consult on options for introducing a standardised approach to assessing housing requirements. This has introduced a level of uncertainty into identifying the housing target for the Local Plan consultation draft 2017. Future consideration will be given to application of any nationally introduced methodology."

18. There is no hint at all that the Council in its consideration of the final distribution of growth (rather than the level of growth) had any regard to the White Paper and any emphasis on or support that it might provide for growth in rural communities. Another two factors are mentioned at para. 3.17 of the SAEN for which there is no evidential basis at all. The first is reference to the consultation proposals 'Planning for the right homes in the right places.' The consultation, which was published in September 2017 and is listed as an "influencing factor" is not mentioned in the FSA at all. The same goes for the "concern" on over-reliance on the strategic expansion locations. There is simply no evidence that if such concern was expressed, the Council had regard to it in proposing the final distribution of growth.

19. Nowhere the FSA is there any mention that there was concern over the sustainability of the three SEL approach. It was in fact a fundamental component of all three growth distribution options considered by the Council. Nowhere in the FSA is there any analysis or conclusion that three SELs are no longer considered to be the most sustainable approach to the distribution of growth. The evidence simply is not there, and has not been provided in the SAEN. There are no memos, notes or resolutions by the Council that have been provided to support the process that is alleged to have been undertaken. The SAEN is just the sort of ex post facto justification that is entirely inappropriate in terms of a process that is meant to be systematic, transparent, and thorough in order to achieve sustainable development.

20. It is also worth mentioning that the final factor noted at para. 3.15 is that Sibson Garden Village was unsuccessful in its bid to be part of the vanguard group of locally-led Garden Villages. How that fact influenced the final distribution of growth is entirely unclear:

- (i) Sibson was not a SEL identified in the original proposed distribution;
- (ii) The Council did not consider it as a reasonable alternative for Wyton, or any other site for that matter;
- (iii) The FSA makes no reference within the body of the text to Sibson at all.

21. While it is a matter of fact, as explained above, that Sibson was not selected in the first wave of the successful Garden Village bids, there is no conceivable way that could have impacted on the Council's final distribution of growth option. Again, if it were a significant factor, the FSA would make some reference to it.

22. The Council accepts at para. 3.19 that it would have been helpful if the FSA set out the process that is now sought to be explained by the SAEN within the FSA itself. It is not "helpful" it is absolutely necessary. It is remarkable that the Council now seeks to set out three entirely new options in the SAEN when not only is there absolutely no reference to, or analysis of those options in the FSA at all, but in proposing them now, the Council has provided no evidence whatsoever to demonstrate they were considered at an earlier, and appropriate stage in the process. Not even the scantest documentary evidence has been provided in support – the paper trail is non-existent.

23. Even now, there is no detailed sustainability appraisal of the options as would be expected, and which does occur at places in the FSA in line with the stated methodology; the Council has not attempted to produce one.

24. In respect of Option 1, the Council argues that consideration was given to other new settlement proposals. Unsurprisingly given Larkfleet's representations on this particular matter, Sibson attracts a special mention, and it is said that *"there was insufficient evidence on the viability and achievability of the infrastructure required to support the development, particularly the new junction onto the A1 need to provide access to the site. So it was not considered to be a reasonable alternative."*
25. Given that the Council previously supported Larkfleet's submission of an expression of interest to deliver a Garden Village at Sibson, it is surprising that the Council now considers that there is insufficient evidence to allocate the site. If the highway issue really was a fundamental showstopper, then the Council would not have supported the EoI. Moreover, the HELAA (December 2017) at pp.10-13 is generally positive about the site. It acknowledged that a transport assessment will be required to demonstrate that safe, appropriate access can be provided from Elton Road, and in particular to the A1, but still regarded the site as suitable, achievable, and available. It is therefore wrong to consider that Sibson did not provide a reasonable alternative to the final distribution strategy. Moreover, the "outcome" box featured in Appendix 2 of the SAEN that considers Sibson as undeliverable" is entirely new, and entirely unsubstantiated. It is not an accurate reflection of the HELAA but a further cynical attempt to justify a seriously flawed FSA.
26. The Inspector will be familiar with the PPG on SEA and SA, but in essence SA is a systematic process that must be carried out during the preparation of the plan and inform the plan. Consideration of reasonable alternatives to the proposed approach is the bedrock of the process to ensure that the preferred option is the most sustainable.
27. The Guidance makes clear that the SA itself should outline the reasons the alternatives were selected, the reasons the rejected options were not taken forward and the reasons for selecting the preferred approach in light of the

alternatives. Para. 18 makes clear that the SA should “*provide conclusions on the overall sustainability of the different alternatives including those selected as the preferred approach in the Local Plan.*” Reasonable alternatives should be “all reasonable alternatives”.

28. In respect of the original distribution of growth, the FSA records that three options were assessed. All included 3 SELs. The approach favoured was the larger settlements option. The FSA sets out a detailed appraisal of why that was the most sustainable option. Once Wyton was no longer regarded as deliverable the strategy had to change. From that point on, a distribution of growth emerged that was not tested against any reasonable alternatives at all. It was tested only against what went before (FSA, p.772) and which no longer represented a reasonable alternative because it could no longer be achieved in the absence of Wyton SEL. There is no evidence at all in the FSA, or indeed the SAEN that any other option was appraised, or systematically assessed before the Council alighted upon a strategy which not only included one less SEL, but also included an additional tier of settlement for growth that is acknowledged to have sustainability disbenefits.

29. Essentially, the distribution now promoted by the Council is far more akin to the Dispersed option of growth that was regarded as the least sustainable option in the initial appraisal of growth options. Moreover, it is worth pointing out that there are significant anomalies in the appraisal of the preferred approach (FSA, pp772-780). The Inspector is asked to look carefully at the results, but for example, the first response to the use of PDL is simply wrong, and is to be compared and contrasted with p.152 of the FSA that shows the opposite assessment is correct. Likewise, it is not clear why the proposed approach should be more positive in terms of grade 3 agricultural land than what was the current approach at that time; see p.773

30. Further, by way of example:

- (i) the approach to flood risk on p.774 and 776 is difficult to understand given that distribution of development is now proposed to be more dispersed and includes sites at risk of flooding;
- (ii) there has been an effective downgrading of the original proposed distribution when compared with the original assessment; see FSA p.154. That is the case in a number of instances, and without any explanation.
- (iii) it is not clear why there should be any difference in terms of crime or access to basic services as a result of more dispersed development; see p.776 .

31. In essence, there is very real concern that the appraisal has been amended quite disingenuously to fit the desired strategy of a more dispersed growth pattern, despite the acknowledged sustainability disbenefits.

Conclusion

32. In conclusion, the SA has not considered reasonable alternatives to the distribution of growth now proposed. There is no evidence that the options set out in the recently submitted SAEN informed the strategy carried forward into the plan, and neither have they been properly appraised in line with the methodology set out in the FSA.

33. The SA therefore fails to comply with section 19(5)(a) and 39(2) of the PCPA 2004, as well and national planning practice guidance.

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9th September 2018

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