

Elegant Homes Response to SODC Local Plan 2034 Regulation 19 Consultation

1. Introduction

- 1.1. This statement is written on behalf of Elegant Homes, an SME housebuilder who have been working in South Oxfordshire and Berkshire for over 15 years. It seeks to argue the case that as Policy H1 and H8 do not accord with the National Planning Policy Framework (NPPF), the SODC Local Plan 2034 fails on tests of both legal compliance and soundness.
- 1.2. Elegant Homes were pleased to see the inclusion of Policy H8 in the original SODC Draft Local Plan 2033. This gave an allocation of 500 new dwellings to the Smaller Villages, on top of any infill sites which may come forward.
- 1.3. This allocation not only advocated limited growth in the smaller villages to increase their sustainability, but also gave smaller developers the opportunity to produce more housing supply.
- 1.4. The alteration of the policy in the updated SODC Draft Local Plan 2034, which removed the 500-dwelling allocation (and additionally added three strategic sites), is a backward step in the planning process that favours the monopoly of large housebuilders. We fail to understand why Policy H8 has been removed.
- 1.5. The loss of this policy has the following consequences:
 - i Disincentivising Parish Councils of Smaller Villages to undertake Neighbourhood Plans
 - ii The loss of affordable housing across the Smaller Villages
 - iii The continued monopoly of large developers building “identikit” houses
 - iv Missed opportunity to make Smaller Villages more sustainable
 - v Missed opportunity to deliver housing numbers quickly
- 1.6. Starting with Policy H1: Delivering New Homes, before moving on to Policy H8: Smaller Villages, this statement makes comment on why these policies do not accord with guidance in the National Planning Policy Framework.

2. Policy H1: Delivery of New Homes

- 2.1. Paragraph 35d of the NPPF states that Local Plans can be found sound if they are consistent with national policy.
- 2.2. NPPF Paragraph 68a states that local planning authorities should *“identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved”*.
- 2.3. The SODC Local Plan makes no attempt to identify the small or medium sites to achieve this target, and also gives no strong reason as to why this target cannot be achieved.

- 2.4. The Plan states at Paragraph 5.4 *“The allocations within this Plan are largely on strategic development sites... and would not fall within the definition of a smaller or medium sites. However, the Council’s supply of housing does include a significant proportion of sites on less than 1ha.”*
- 2.5. SODC expect that smaller or medium sites will be delivered through windfall, infill and sites allocated in neighbourhood development plans. A figure of 100 homes a year has been given as an expectation for windfall, with SODC saying at Paragraph 5.5 that *“we expect most of these developments to be smaller housing sites.”* Expectation however, falls well short of identification.
- 2.6. There is clearly no direct identification of land to accommodate at least 10% of their housing requirement on sites no larger than one hectare and there are no strong reasons provided as to why this target cannot be achieved. This is directly contrary to Paragraph 68a of the NPPF.
- 2.7. Furthermore, Policy H1 conflicts with NPPF Paragraph 84, which states:
*“Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport... The use of previously developed land, **and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist**”* (emphasis added).
- 2.8. Paragraph 4 of Policy H1 states that housing development *“will be permitted on previously-developed land that is in and adjacent to the existing built-up areas”*. It does not however, make any reference to, or encourage, sites that are physically well-related to existing settlement, where suitable opportunities exist.
- 2.9. This statement’s interpretation of Paragraph 84 is that *“sites physically well-related to existing settlements”* and *“previously developed land”* hold the same weight and should be encouraged equally, where suitable opportunities exist.
- 2.10. SODC’s sole focus on *“previously-developed land that is in and adjacent to the existing built-up areas”* therefore omits the second important point and as such, does not accord with the NPPF Paragraph 84.
- 2.11. The Plan therefore fails on the two tests of legal compliance and soundness as Policy H1 is not in compliance with the NPPF.

3. Policy H8: Smaller Villages

- 3.1. By removing the 500 house allocation for the Smaller Villages and therefore altering policy H8, the Local Plan does not comply with the following paragraphs in the NPPF: 78, 83a, 83d and 84. These paragraphs look to promote sustainable development in rural areas, which are defined as *“National Parks, Areas of Outstanding Natural Beauty and areas designated as ‘rural’ under Section 157 of the Housing Act 1985.”*
- 3.2. NPPF Paragraph 78 specifically states that *“housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities*

for villages to grow and thrive, especially where this will support local services". By removing the allocation for the Smaller Villages, these rural communities will lose the opportunity to grow and local services will suffer.

- 3.3. NPPF Paragraph 83 states that *"planning policies and decisions should enable:*
 - a) *the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings"*
 - d) *retention and development of accessible local services and community facilities."*
- 3.4. The best way to comply with this policy is to ensure the future of these areas by allocating limited sustainable development.
- 3.5. SODC have only allowed for infill developments in the Smaller Villages, but this will not allow for the provision of affordable housing, given the generally small nature of infill sites.
- 3.6. Draft Local Plan 2034 Policy H16: Infill Development is a very constraining policy as it limits housing developments to sites of only 0.2 hectares and 5-6 dwellings. Policy H9: Affordable Housing however, only requires on site contributions of affordable housing on sites of 10 or more (an offsite contribution is required for sites of 5-9 dwellings in AONB).
- 3.7. Under the current version of H8, the reality of the policy is there will be no affordable housing provided in Smaller Villages over the next 15 years.
- 3.8. According to Oxfordshire SHMA, SODC has an affordable housing need of 331 per annum up until 2031. That is the second highest in the county, second only to Oxford City. It must be more sustainable to spread this requirement across the district, especially to some of the most unaffordable Smaller Villages.
- 3.9. By preventing the delivery of affordable housing to these villages, the Local Plan conflicts with the SODC Joint Housing Delivery Strategy which states *"The supply of a high volume and wide range of housing, **including affordable housing**, is viewed as critical to the future growth of our local economies"*.
- 3.10. In most cases, Smaller Villages are important local economies as they fulfil the role of service centres for various surrounding Other Villages. It is therefore essential to ensure these places continue to see limited growth in order to provide for our rural communities, as prescribed by NPPF Paragraph 78.
- 3.11. It is also not feasible to expect smaller sites to be delivered in Smaller Villages through Neighbourhood Development Plans (NDP), given under the new Draft Local Plan 2034 there is no explicit obligation for Parish's to produce one.
- 3.12. Policy H8 states that *"where a Parish Council wishes to prepare a Neighbourhood Development Plan and make housing allocations within it to support further growth, the Council will support this."*

- 3.13. Given the cost, complexity, time and effort involved in completing an NDP, it seems highly unlikely a Smaller Village Parish Council would now look to implement one.
- 3.14. The Smaller Villages that have had the foresight to produce, and make site allocations within, an NDP under the previous Draft Local Plan 2033 must surely be regretting doing so.
- 3.15. Policy H8 directly contradicts Paragraph 13 of the NPPF, which states that *“Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.”*
- 3.16. If, as seems likely, no further NDPs come forward in the Smaller Villages, then the Local Plan 2034 will prevent most types of development in these areas, rather than shaping and directing it.
- 3.17. In many cases, given the Smaller Villages are local service centres, they have a pressing need to improve community facilities and services, such as schools.
- 3.18. In Rotherfield Peppard, the Parish have a sizable funding gap relating to the building of their new school, which has full planning consent. A small scale and sustainable development in this village could release developer contributions which could provide some funding and support the delivery of the new school.
- 3.19. Paragraph 94 of the NPPF states *“It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:*
a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications”
- 3.20. Many of the Smaller Villages have smaller schools that need updating and modernising. Paragraph 94a) encourages the creation, expansion or alteration of schools through the preparation of plans and decisions on applications. Allocated housing sites in the Smaller Villages can help contribute to fulfilling this policy.

4. Summary

- 4.1. By delivering just 10% growth in each of the Smaller Villages, the Local Plan could allocate up to 1300 dwellings. This would make provision for limited but much needed market and affordable housing in the Smaller Villages across the district. This could also take some pressure off new housing in the Green Belt.
- 4.2. NPPF Paragraph 11 states that *“Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:*
a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change”

- 4.3. Allocating 8350 homes in the Green Belt surrounding Oxford does not meet the development needs of the entire area. The SODC Local Plan should be flexible enough to allow allocations in the Smaller Villages across the whole of the district.
- 4.4. After delivering upwards of 100 dwellings over the last 15 years, Elegant Homes believes SME housebuilders are an important part of the housing supply solution.
- 4.5. These housebuilders need policies that support small to medium scale housing in order to contribute to this supply. These sites can help to support the sustainability of rural communities and also deliver much needed affordable housing.
- 4.6. Additionally, Smaller Villages will not produce NDPs if there is no requirement to find land allocations. This will lead to some of the District's housing need, including affordable housing, not being met.
- 4.7. Policies that concentrate all the housing supply in large strategic sites is not the answer and the way SODC have approached this in their Local Plan 2034 is not compliant with the NPPF, as discussed above.
- 4.8. The Draft Local Plan 2034 therefore fails the tests of both legal compliance and soundness.