Matters Arising Changes Representation Form

As part of the Examination into the Cardiff Local Development Plan (LDP) a number of Matters Arising Changes have been proposed to the LDP. These changes are set out in the Matters Arising Changes Schedule. This is your opportunity to comment on the Matters Arising Changes. All comments previously made at Deposit stage have already been considered by the Inspectors and so this form should only be used to comment on the Matters Arising Changes.

All completed forms should be returned by midnight on 23rd July 2015 to: LDP Team, Room 131, City Hall, Cardiff, CF10 3ND or email LDP@Cardiff.gov.uk

Also available for comment are the Sustainability Appraisal and Habitats Regulations Assessment of the Matters Arising Changes at www.cardiff.gov.uk.

**PART 1: Contact details**

<table>
<thead>
<tr>
<th>Your/your Client's details</th>
<th>Agent's details (if relevant)</th>
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<tbody>
<tr>
<td>Title: MR</td>
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</tr>
<tr>
<td>Name: STUART RODDEN</td>
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<td>Job title: (where relevant)</td>
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<td>Email: <a href="mailto:SRODDEN@EDENSTONEHOMES.COM">SRODDEN@EDENSTONEHOMES.COM</a></td>
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</tr>
</tbody>
</table>

Please note that all representations will be made available for public inspection and cannot be treated as confidential. However to ensure data protection we will remove personal details from publically accessible documents.

Signed: [Redacted] Date: 2/7/15
PART 2: Commenting on Matters Arising Changes

Which Matters Arising Changes do you wish to comment on (Please refer to the Matters Arising Changes Schedule)

Matters Arising Changes reference (e.g. MAC 1)

MAC A

Support/Object (Delete as appropriate)

Support/Object (Delete as appropriate)

Support/Object (Delete as appropriate)

Support/Object (Delete as appropriate)

If you are objecting to a change it would be helpful if you could indicate which Test of Soundness you consider it to fail (please refer to guidance note).

C2, C3, C4

Please note if you do not identify a test it will not mean your comments will not be considered.

PART 3: Your Response

Your comments should be set out in full and relate to the Matters Arising Changes only.

Please use the space provided to set out your representation. Please be explicit as to which ‘matters arising change’ your comments relate to.
(Continue on a separate sheet/expand box if necessary)

Please see attached note.
PART 4: What Happens Next?

All comments received by the closing date will be forwarded directly to the Inspectors for consideration; noting that they will not receive a response from the Council. Should the Inspectors decide that further hearing sessions are necessary please indicate whether you would want to speak at a session. It is important to note that written comments will be given the same weight by the Inspectors as those made verbally at a hearing session.

4a) Do you want your comments to be considered by written representations or do you want to speak at a hearing session?

(Please tick ✓ one of the following)

I do not want to speak at a hearing session and am happy for my written comments to be considered by the Inspector. ✓

I do want to speak at a hearing session.

4b) If you wish to speak, please confirm which part of your representation you wish to speak to the inspector about and why you consider it to be necessary to speak at the hearing.

The Matters Arising Changes Schedule is available on the Council website at: www.cardiff.gov.uk. Hard copies are also available for public inspection during the consultation period at: City Hall, Cathays Park and County Hall, Atlantic Wharf, Monday to Friday between 9.00am and 4.00pm. They will also be made available at all local libraries.
Additional Assistance

If you require assistance to complete the form or have any questions relating to your representation please contact:

LDP Team,
Strategic Planning -- Policy
Cardiff Council
Room 131
City Hall
Cathays Park
Cardiff
CF10 3ND

Telephone: 029 2087 1297
E-mail: LDP@cardiff.gov.uk

Tests of Soundness

<table>
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<tr>
<th>Procedural Tests</th>
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</thead>
<tbody>
<tr>
<td>P1</td>
</tr>
<tr>
<td>P2</td>
</tr>
</tbody>
</table>

Consistency Tests

| C1               | It is a land use plan which has regard to other relevant plans, policies, and strategies relating to the area or to adjoining areas. |
| C2               | It has regard to national strategy. |
| C3               | It has regard to the Wales Spatial Plan. |
| C4               | It has regard to the relevant community strategy/ies (and National Park Management Plan). |

Coherence and Effectiveness Tests

| CE1              | The plan sets out a coherent strategy from which its policies and allocations logically flow and/or, where cross boundary issues are relevant, it is compatible with the development plans prepared by neighbouring authorities |
| CE2              | The strategy, policies, and allocations are realistic and appropriate having considered the relevant alternatives and/or are founded on a robust and credible evidence base. |
| CE3              | There are clear mechanisms for implementation and monitoring. |
| CE4              | It is reasonably flexible to enable it to deal with changing circumstances. |
Comments on Matters Arising Changes reference MAC4

16 July 2015

1 Past completions – 8 years to 31 March 2014

Ref: Hearing Session 3; Action Point 5

Table 1 of Policy KPI includes, at row 3, the number of dwellings which were completed during the 8 year period ended 31 March 2014. The table makes reference to the data source being the change in Council Tax dwellings for this 8 year period and the total number presented is 12,255.

We object to the arbitrary nature of the use of this data source. Every other Local Authority in Wales has relied upon the definition of dwelling employed during the annual JHLAS review process. The JHLAS information is readily available and is in a detailed format, breaking down as it does by development and by year. The JHLAS reports are subject to scrutiny each year by an independent industry body as well as the Planning Inspectorate and are clearly the relevant data source for historic dwelling completions. Indeed, it is the JHLAS past completion data which will form the core information for the first, post- adoption, review of Cardiff’s land supply to assess whether the 5 year minimum target has been reached.

The JHLAS information for the relevant 8 year period has recorded only 9,556 dwellings, so the Council Tax data is some 28% different. This is a much too significant variance to brush over without analysing and reconciling the fundamental reasons for the difference. The reasons for the difference are not known, but could clearly relate to timing differences as well as categorisation differences, boundary issues or residential use classes (eg students/ residential institutions/ HMOs etc). The Local Authority has suggested that, unlike the JHLAS data, the Council Tax data would take account of dwelling stock lost to demolitions or changes of use from residential to non-residential or residential changes resulting in loss, although these facts would all make the 28% variance even bigger and clearly do not explain the difference, rather they exacerbate it.

The Local Authority has made no attempt to reconcile at a detailed level the significant difference in dwelling numbers and so the Council Tax data should not be relied upon. It is only the JHLAS data which has been scrutinised independently and understood at a detailed level. There would need to be a compelling reason to disregard the robust, detailed JHLAS information and yet only a single, global number has been provided with no attempt to reconcile.

Row 3 of Table 1 should be adjusted to the JHLAS number of 9,556 and the shortfall (2,699 dwellings) should be found in additional allocations.

2 Flexibility Allowance

Ref: Hearing Session 3; Action Points 10 and 11

Policy KPI makes reference to a 10% (4,000 unit) flexibility allowance which has been included in the Plan. The intention is for the Plan to be kept “sufficiently flexible to respond to changing conditions”. Three areas have been identified to provide flexibility and these areas will follow on from the development of the strategic sites. The Plan states that “The masterplanning of adjoining strategic sites will ensure that suitable access is secured” for the three sites identified for flexibility.
We object to this approach. The current dearth of housing land supply and the resultant lack of dwelling delivery is a key issue facing the Local Authority. Cardiff has only been delivering around 25% of its housing need over the last 5-6 years (due primarily to the lack of land supply) and it is critical that this is addressed immediately. The strategy of focussing most of the housing supply on a small number of large, complex developments brings significant risk in timing terms. These strategic sites are already significantly delayed from their planned start dates and are clearly facing material challenges before they can start producing units. The key risk is that the early years of the plan (2016 – 2019) remain critically short of housing units as a result of the strategic sites taking longer than hoped to become operational. This then leaves insufficient time (the plan only runs until 2026) to catch up the ever-increasing backlog.

The flexibility allowance should be in place to mitigate the key risk in the plan – ie the shortage of units in the first 3 years of the plan as the strategic sites progress slowly through to becoming operational. However, the flexibility allowance as currently drafted can only have an impact on the later years of the plan as the relevant sites will only come forward as extensions to the strategic sites. The Plan says “It also ensures flexibility as a limited number of sites would carry delivery risks should implementation problems be encountered on specific sites”. The plan has identified the problem, but not the solution. The ‘flexibility sites’ will have no impact on the critical early years of the plan as they must sequentially follow the strategic sites and therefore, in reality, they do not provide flexibility at all.

The sites identified for flexibility should be changed such that the 4,000 units are allocated on alternative sites which are capable of coming forward for development in the early years of the plan. These alternative sites would then be of a nature which could provide a genuine contingency in the event that one or more of the strategic sites is delayed from the current over-optimistic programme.

3 5 Yr Land Supply on Adoption

Ref Hearing Session 5; Action Point 1 and Revised Table KP1

Policy KP1 sets out the anticipated housing need and delivery and aims to meet the requirements of various planning policies, in particular TAN1 which requires an evidenced 5 year land supply on adoption. An ancillary statement “Statement in response to Action Point 7 from Hearing Session 3: Housing Provision” provides the Local Authority’s analysis which purports to demonstrate that the Plan can deliver a 5 year housing land supply at 1 April 2016, assuming adoption occurs before this date.

We object to this claim as there are material inaccuracies in the Local Authority’s analysis:

i) The Local Authority has calculated a land supply of 5.2 years using a 5 year supply figure of 13,615 units. This number is materially overstated, however, as it actually includes 6 years of output from the strategic sites. Appendix 1 shows the breakdown of the Cardiff CC 5 yr supply analysis and Appendix 2 shows the agreed housing trajectory (SOCS) in respect of Strategic Site C (for illustrative purposes – the same issue exists on each of the other larger strategic sites).

As you will note, Cardiff CC have included 2,349 units from Strategic Site C in their 5 year analysis. However, Appendix 2 shows that this is actually the cumulative 6 year output from the site. Clearly only 5 years of output should be included in the calculation, so this would appear to be a calculation error. For this site there is an overstatement of 530 units which represents the expected output in year 6. The corresponding error has been made
on each of the larger strategic sites; in each case 6 years of output has been counted when it should only be 5. For the full set of strategic sites the overstatement is 1,559 units.

ii) The Local Authority has estimated the completions for 2014/15 despite this year now being long since finished. The actual completion data should, by now, be available and be reflected in the analysis. The estimate of 1,362 units (year to 31 March 2015) would appear optimistic given that the average of the prior 5 years was 745 units. Additionally, the ONS has published its Council Tax household data for 31 March 2015 for Cardiff and the annual increase is only 610 units – this corresponds to a total number of dwellings of 151,600 (up from 150,990 at 31 March 2014) and is drawn from the information which the Local Authority itself attempts to rely upon for completion statistics for the prior 8 years. There is clear evidence that the LA’s estimate is excessively optimistic and likely to be overstated by around 750 units.

iii) The Local Authority has also estimated completions for 2015/16 at 1,362 units. Given the position in (ii) it is also likely that this number is correspondingly overstated. The 5-year average (745 units) would be a much more realistic estimate for the 2015/16 output.

The errors in (1) and (3(i), (ii) and (iii)) total 5,620 units which corresponds to around 2 years of housing need. With the LA own calculations ‘dipping for the line’ at only 5.2 years it is clear that, if this Plan were to be adopted in its current form then the LA is already in a position where it is unable to evidence the required 5 year land supply.

Again we recommend that additional sites are found which are immediately deliverable and therefore able to meet the near-term housing need. A selection of smaller, medium-sized sites (250-500 units maybe) are required to supplement the strategic sites in the Plan. These would likely bring lesser deliverability risks due to the smaller scale and reduced infrastructure need. This is imperative to generate the required 5 year land supply on adoption of the Plan, as the currently identified sites clearly do not meet this requirement.
Appendix 1 Cardiff CC Projected 5Yr Housing Supply

Agreed JHLAS at 1 Apr 2014
Row 1 Sites with permission (agreed figures for 2017-19) 2,737
Row 2 Small sites allowance agreed at 1 April 2014 640
Row 3 Sites subject to S106 agreed at 1 April 2014 315
New sites subject to S106 following TAN1 revision 769
Row 4 4,461

Windfall Allowances for 2020-21
Row 5 Allowance for large windfalls 576
Row 6 Allowance for change of use gains 264
Row 7 840

Strategic Site Allocations
Row 8 A) Cardiff Central Enterprise Zone 400
Row 9 B) Former Gas Works, Ferry Road 310
Row 10 C) North-West Cardiff 2,349
Row 11 D) North of J33, M4 830
Row 12 E) South of Creigiau 650
Row 13 F) North-East Cardiff 2,589
Row 14 G) East of Pontprennau Link Road 810
Row 15 7,938
Row 16 Non-Strategic Site Allocations 376
Row 17 TOTAL 5 YR SUPPLY AT 1 APRIL 2016 13,615

Appendix 2 Extract from SOCG Strategic Site C North West Cardiff

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</tr>
<tr>
<td>2017</td>
<td>2</td>
<td>312</td>
<td>447</td>
</tr>
<tr>
<td>2018</td>
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</tr>
<tr>
<td>2020</td>
<td>5</td>
<td>530</td>
<td>1,819</td>
</tr>
<tr>
<td>2021</td>
<td>6</td>
<td>530</td>
<td>2,349</td>
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</tbody>
</table>

NB. The planning status of this strategic site is still (as at 16 July 2015) that there is no resolution to grant outline consent. Given that the time from such a resolution to the first house sale is likely to be a minimum of 2 years (to agree planning obligations, submit and progress reserved matters applications, discharge pre-commencement conditions and then to construct the early infrastructure and first dwellings), the above schedule would appear to be already at least 2 years delayed.