

Our Reference

Your Reference

16 March 2026

LDP Team
Ards and North Down Borough
Council
2 Church Street
Newtownards
BT23 4AP

Dear Sir/Madam

Ards and North Down Draft Local Development Plan Strategy Representation on Behalf of Joan Woods

Introduction

This representation relates to the soundness of the draft Local Development Plan Strategy (dLDPS).

While the dLDPS identifies a housing requirement that is derived from regional policy, the cumulative impact of the various policies of the dLDPS and the present timescales in relation to adoption of development plans generally raises some very significant concerns regarding the Plan's effectiveness and deliverability within the plan period. This issue is amplified the ever changing property market and so by the time the dLDPS is adopted the property market is likely to be in a very different place to the current position.

This submission assesses the dLDPS against the established Tests of Soundness as set out below. There is an overreliance on windfall development as well as significant issues with the documents including significant internal tension within and between the policies and significant barriers to delivery of the dLDPS's objectives.

Even inside settlement limits, the dLDPS is highly likely to constrain housing through (a) "gateway" development-management tests, and (b) topic policies that remove and/or reduce land available for development, add requirements, or affect viability of schemes and timing of delivery in particular in relation to windfall development. This is in the context of a severe housing crises in the form of insufficient allocation of housing and a long standing and worsening lack of supply of housing land that is in part responsible for the shortage of housing availability and the severe issues surrounding affordability.

Excessive Windfall Allocation

The Council estimates around the likely delivery of dwellings from windfall is 2,390 units. The definition of windfall is provided on page 513 of the dLDPS as being:

*“Housing sites that are neither zoned **nor anticipated** during the formulation of the development plan but which become available during the lifetime of the plan. It can arise as a result, for example, for plot sub-division or property conversion and can normally make a significant contribution to the housing land supply over any Plan period.”* (authors emphasis).

Given this definition it seems hard to understand how sites that are not anticipated during the formulation of the development plan can be anticipated and included in the formulation of the development plan. The inclusion of any allocation to windfall seems at odds with this very definition.

Paragraph 2.16 of Technical Supplement 2B – Urban Capacity Study (UCS) elaborates on this by re-stating the definition above and expanding to say that windfall cannot be precisely anticipated and may arise as a result of *“plot sub-division or property conversion, residential redevelopment of redundant industrial or commercial buildings, and the erection of dwellings within the gardens and grounds of existing residential or commercial property.”*

The dLDPS carries strategic operational policies that prevent the above types of delivery mechanisms for windfall housing from occurring. These go well beyond a simple tension between policies, lead to serious coherency issues within the plan that fatally harm its ability to deliver its housing allocation and render it unsound.

- HOU2(a) ties development to the surrounding context in terms of scale, proportions, massing and appearance as well as the spacing between buildings and landscaped areas effectively preventing the sub-division of plots or the erection of houses in gardens.
- HOU2(c) and (g) require adequate provision of open space and car parking which also can restrict plot sub-division.
- HOU2 (i) requires that new residential development will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing properties in terms of overlooking, loss of light, or overshadowing which effectively precludes development in back gardens.
- There are further restrictions in Conservation Areas and ATCs within HOU2.
- There are also further restrictions in Established Residential Areas where not only do the above restrictions apply but also additional criteria that restrict windfall development as set out in the dLDPS and the Urban Capacity Study.
- HOU2 (k) requires the density to not be significantly higher than that found in the area, in practical terms this is interpreted by this Council to be no higher than that found in the immediate surrounding area.
- HOU2 (l) requires the pattern of development to be in keeping with the character of the area.
- HOU2 (m) requires minimum sizes of apartments.

There are yet more restrictions for the conversion and reuse of buildings to flats or apartments within HOU2.

- HOU2 (n) requires there to be no adverse effect on the local character, environmental quality or residential amenity of surrounding areas.
- HOU2 (o) requires the maintenance or enhancement of the form, character and architectural features, design and setting of the existing building.

ED3 is also a protectionist policy in relation to economic development uses and zoned employment land, it includes both and prohibits the *“loss of land or buildings zoned for economic development use in a development plan (either existing areas or new allocations) to other uses”* as well as *“proposals that would result in the loss of an existing Class B2, B3 or B4 use or land last used for these purposes”*.

These additional policy tests and requirements mean that the approval and delivery of any kind of infill, back land development or conversion of residential or commercial property or the reuse of commercial land or buildings is highly restricted and will choke off the land supply. Therefore where the UCS states that windfall will come from “*plot sub-division or property conversion, residential redevelopment of redundant industrial or commercial buildings, and the erection of dwellings within the gardens and grounds of existing residential or commercial property*” each of those is very effectively excluded by the criteria of HOU2. It is clear that the effects of the dLDPS’s policy framework on the deliverability of windfall housing has not been considered. The Council has failed to justify, given that windfall is a diminishing resource, how the policy criteria of HOU2 will ensure that past levels of windfall delivery will continue during the lifetime of the LDP once adopted. As currently drafted, the dLDPS is not sound in respect to windfall.

The historic provision of housing from windfall development is unusually high in the Borough given its relatively small population and the Council in the preparation of the dLDPS has simply extrapolated that provision over the lifetime of the Plan. Belfast City Council by contrast has an even more ambitious housing delivery target of 31,660 new dwellings (all of which was to be located on sites within the urban footprint) and yet the total allocation from windfall was only 2,000.

This raises the question of why Ards and North Down has such a high level of delivery from windfall. One reason might be that the North Down portion of the Borough has an incredibly old and out of date development plan in the form of the North Down and Ards Area Plan 1984 – 1995 (NDAAP) with the Ards portion of the Borough being under the provisions of the Ards and Down Area Plan 2015 published in 2009.

The areas of land that were previously available for windfall provision are now largely used, that will not be capable of being used a second time, this demonstrates that windfall is a diminishing resource and that the windfall allocation requires to be sieved through the Council’s policies to ascertain how that is likely to affect delivery from this source. It is not robust nor is it accurate to simply take what has been delivered in the past and project that over the lifetime of the plan especially in the context of diminishing build rates that are not reflected or expressed in the housing figures. For instance in Ballygowan there is limited available land for windfall to be delivered on, the village is largely developed out and the land within the settlement limit that is available is restricted by environmental constraints including but not limited to reservoir inundation flood plain.

A. “Gateway” policy that impacts on almost all housing proposals

Policy GP 1 – General Principles

GP1 is a key “hurdle” policy because it requires proposals to demonstrate (among other things):

- Alignment with the Spatial Growth Strategy and availability and commitment of essential infrastructure including public wastewater infrastructure of which there is a known deficiency;
- Design quality and in particular respecting local character that is proven to drive down density and deliverability particularly on urban infill and windfall sites;
- Protection of environmental interests using a precautionary approach which increases the uncertainty around development proposals and can operate against the granting of permission particularly on urban infill and windfall sites;
- Transport, access, parking standards, provision of open space which all drive down density and create deliverability issues; and
- Avoidance of sites with low level environmental constraints including those at risk of flooding and requirements to not exacerbate flooding elsewhere.

Why this restricts development within settlements

Even where land is in principle acceptable, such as land inside settlement limits, or on land zoned, GP1 will still block and delay schemes if, for example, wastewater capacity isn't confirmed. This restriction is baked into the dLDPS in a situation where everyone knows and the dLDPS recognises that this is a very real constraint.

It is for this reason that the allocation of a block figure to all villages instead of an individual assessment of each to take account of the available public infrastructure is essential and the absence of such an assessment will inhibit development across all villages.

B. Housing chapter requirements that can reduce yield, slow delivery, and affect viability

Policy HOU 1 / HOU 2

The housing section of the draft LDPS requires Design Concept Statements and, for larger sites/thresholds, Concept Master Plans; it also states that poor quality or piecemeal development will not be permitted. Whilst these are not new requirements and have been part of the landscape for a significant amount of time their interpretation creates issues and exacerbates delay in processing of applications and therefore delivery of development.

Likely restriction mechanism:

- Longer pre-application and application preparation timescales to include preparation of concept evidence, coordination across ownerships and proof of public infrastructure availability.
- Reduced developable area and density particularly on larger sites where layouts are generally roads dominated, confirmation of infrastructure connections (in the context that there are known and acknowledged problems in this area), protection of features deemed worthy, provision of both private and public open space, landscape buffers both between zones of the development and around the edge of the development, and landscaping all use up space and reduce the developable area and reduce density of development.
- Potential refusal where proposals are seen as "piecemeal" especially on large, zoned land brought forward in parts, although as mentioned above the Council has permitted piecemeal development to take place on large zoned sites.

Policy HOU 3 – Affordable Housing

Policy HOU 3 requires a minimum of 20% affordable housing on sites that seek to provide 5 units or more or are on sites of at least 0.1ha. This policy also seeks to resist the artificial subdivision of sites to avoid the threshold. Whilst this is similar to other Council's the reality is that housing associations do not want small numbers of social or affordable units scattered around towns and villages. This type of provision creates significant management issues for the main providers of this type of accommodation, increased costs of providing housing, lower revenue returns as a result of increased costs and ultimately lower provision of new dwellings.

The Intermediate Rent sector is very much in its infancy in Northern Ireland with only one housing association provided with funding for this type of tenure. The provision of Intermediate Sale is more developed in the form of co-ownership but setting the provision at the level of 5 units mitigates the provision of rented tenure social/affordable units within these small scale developments – Housing Associations do not want provision in small numbers and there is only very limited Intermediate Rent funding available and only a single provider thereof.

In addition, setting the level at such a low level, impacts on scheme viability and in effect reduces the density of development achievable as developers artificially reduce the number of units proposed to below this level in favour of more generous car parking and open space provision. This assists in avoiding a scenario that results in the single (small number) social/affordable unit(s) not being capable of being disposed of but which if provided would incur build costs thereby making the scheme unviable. Profit margins are lower and viability is more uncertain with these kinds of small scale infill/windfall sites, they are more vulnerable to unforeseen events (despite reasonable contingency), and also to increased costs.

As a result, this policy is a further restriction mechanism on the deliverability of the Council's ambitious housing target.

Likely restriction mechanism:

- Can impact scheme viability particularly on brownfield land for infill/windfall development, where there are higher relative abnormal-costs, or in lower-value locations which can delay starts, reduce output, or lead to delays.
- Can reduce the number of sites that are "deliverable" within the plan period without public subsidy or tenure partners that are not available or not interested in small numbers of units scattered randomly around the Borough as this creates a significant management burden and increase costs for social housing providers, ultimately leading to reduced delivery of social/affordable housing.

Policy HOU 4 – Accessible/adaptable homes and wheelchair standard on larger schemes

It is recognised that this provision is necessary, however nonetheless it adds specification requirements to housing developments in the form of internal layouts amendments; provision of lifts in apartment blocks; and wheelchair units on larger schemes.

Likely restriction mechanism:

- Higher build costs and impacts on both yield and layout which again potentially affects more marginal sites where viability and timing are crucial in delivery.

C. Open space protections that can remove land from the supply

Policy OS 1 – Protection of Open Space

Policy OS1 creates a very strong presumption against development that would result in the loss of all existing open space regardless of its condition, subject only to limited exceptions. Part of the issue with this is the interpretation of these kinds of policies which effectively mean that open space of public value is whatever decision maker says it is at the time they declare it. In instances where the open space is not accessible or of low value in amenity or nature conservation terms those sites should not be capable of being declared open space worthy of protection.

Likely restriction mechanism:

- Prevents housing on many windfall opportunities that would otherwise be brought forward, unless an exception is clearly met. Infill and windfall opportunities are a diminishing resource and part of the reason why the Council has had such high numbers of windfall historically is in part due to the more relaxed approach to the loss of what would now be determined as being open space in conjunction with protectionism of economic development land and the very historic nature of the development plan context. This highlights starkly the problem with the Council's massive windfall housing allocation figure.

- Increases pressure to deliver the same housing numbers on fewer sites, that would in theory push densities up elsewhere and increase potential for local opposition. However, HOU 2's restrictive nature combined with the Council's DM team prevents effectively the very increased densities required to deliver the ambitious housing target and demonstrates clearly the issues and tensions within the dLDPS.
- Relatedly, policies supporting open space provision in new residential development can also consume developable land within schemes and drive density and deliverability down.

D. Infrastructure capacity (especially wastewater) as a practical constraint

The very significant financial and physical strain that the NIW wastewater infrastructure is under is a matter of public knowledge and is highlighted in the dLDPS. Within the dLDPS there are very restrictive policies including WN1 and 2 that establish the requirement for NIW to demonstrate a need to the local planning authority in relation to the provision of improved infrastructure. In relation to the provision of new or improvement of existing public wastewater treatment facilities that of itself is likely to cause major delay to the delivery of such facilities and therefore delay the provision of the additional housing set out by the Council as its ambition. There are further requirements that applicants should engage early with NIW on capacity in the public infrastructure and to find solutions if available, this is already an established process that the Council is seeking to duplicate, interfere with and seek control over.

An assessment of each of the settlements to identify available public infrastructure and to provide an appropriate level of allocation to each on the basis of deliverability is essential at this strategic stage. Ballygowan for instance has a shortage of residential development land, its proximity to Newtownards and Belfast make it a sustainable location and the recent public wastewater infrastructure improvements make it entirely suitable for additional allocation over most of the other villages.

Policy WM4 establishes constraints to development in the vicinity of existing wastewater treatment works or waste management facilities but does not define "vicinity" nor is it apparent that these cordon sanitaires have been taken into account in relation to housing allocation or delivery since they will by necessity restrict the available land for development of housing or other uses. Again, this is duplication of a regulatory regime that falls within NIW's jurisdiction.

Policy GP 1 a) also requires that essential infrastructure be available or if lacking that there is a firm commitment to its timely delivery (such as in Ballygowan).

The Council's Non-Mains Wastewater Strategy seeks to support development where mains wastewater infrastructure is present through the application of operational planning policy, this would support an additional allocation for Ballygowan. Policy NMW 1 imposes a significant burden on applicants seeking to provide non-mains wastewater infrastructure including a requirement to comply with policy GP 1 which as referenced above requires that essential infrastructure be available or that there is a firm commitment to its provision, this is more than a tension between GP 1 and the NMWS, it is unworkable and severely impacts rural dwellings and other development that could potentially be served by package sewage treatment.

It is also important to remember that there is an existing regulatory regime for the provision of non-mains wastewater infrastructure whereby the infrastructure has to be designed to an adoptable standard and approved by NIW and then the discharge from the infrastructure must be to a quality standard capable of discharge into a water course and approved by NIEA. Hence this whole area of policy is a duplication of standards already applicable and in place, and, most importantly governed by branches of Government with the appropriate levels of expertise. It is a principle of administrative law that the functions of one public body cannot be taken over by another. This whole area of policy seeks to take over and duplicate the established mechanisms, add an additional layer of bureaucracy and layer of approval and therefore delay delivery of development further.

Likely restriction mechanism:

- Even if land is acceptable in planning terms for residential or other development, connection constraints and programmed upgrades can throttle the rate of permissions being granted, and being implemented and therefore will push out delivery beyond the plan period.
- The tension between policies creates an unworkable situation where delivery will be stopped, stalled or otherwise delayed.

How these constraints could affect delivery of the 15,608 homes target

Because the housing requirement of 15,608 is explicitly an employment-led figure with a flexibility allowance, it assumes land can actually be brought forward and built out at scale.

The dLDPS also provides a generic global allocation for all villages within the dLDPS area with no breakdown of that. The Council will no doubt say that the breakdown of the village allocation is part of the Local Policies Plan stage, for the avoidance of doubt that is incorrect. A strategic allocation to each village, taking account of the deliverability in each specific village to include an assessment of the available and deliverable wastewater infrastructure provision as well as the environmental and setting constraints is the only robust way to allocate housing at this strategic stage. The Local Policies Plan stage determines which sites in each village receives a zoning, this stage is to determine whether an individual village gets what proportion of the allocation.

Most likely impacts on delivery

- Reduced effective land supply;
- Slower lead-in times;
- Viability pressure on marginal sites; and
- Infrastructure as a "rate limiter".

What this means in practice is that a significant share of the plan's expected supply is intended to come from within the existing urban footprint and delivery to be phased to ensure the use of land supply within the urban footprint as a pre-requisite to the release of Phase 2 lands (which include zoned housing land outside the urban footprint) and at the same time relies on urban footprint maps that are massively out of date and some of which show housing already built on what would be Phase 2 land), these policies collectively tend to lower densities and yields of dwellings on sites, remove land/sites entirely from the delivery mechanism, and significantly delay build-out.

All of the above significantly increases the risk that the 15,608 new dwellings figure will not be met within the plan period. It is for the Council to justify and demonstrate that its proposals are appropriate and deliverable, at this stage it is not able to do that.

How Economic Development Policies (e.g., ED 3) Can Impact Housing Delivery

In the dLDPS the economic development (ED) policies generally protect all employment land and economic development uses to support jobs and economic growth, encourage business investment, skills and training infrastructure, and town centre vitality as well as resisting the loss of employment land to non-economic uses (including housing or mixed-use) unless certain tests are met. It is a protectionist policy in the context of a massive oversupply of employment land as established in paragraph 2.37 of the dLDPS of 37ha in excess of the 25ha required to achieve the Council's stated goals.

This is because the plan seeks to balance the need for housing with the need to maintain and grow a prosperous economy. The dLDPS, however, proposes a massive over supply of land for economic development the loss of which is prevented to other uses regardless of its suitability while simultaneously

overestimating the likely number of dwellings from windfall development and undersupplying housing land.

Policy ED 3 will influence housing delivery as follows:

1. Restriction of Land Suitable for Housing

ED 3 strongly resists the change of employment land to housing regardless of its location, usefulness or condition and as a result some of the economic development land that could have been used for housing is not available. This has the effect of reducing the pool of deliverable housing sites, particularly in mixed-use or brownfield contexts.

2. Impact on Windfall and Infill Supply

Historically many infill or windfall opportunities have been on land previously used for employment uses such as small industrial estates or old workshops. The very strong ED 3 protection means that such sites cannot be utilised for housing thereby reducing the windfall supply.

Overall, whilst strong protection can be positive for the local job market and balancing jobs with homes, it will in practice constrain housing supply and reduce the available land for infill urban and windfall sites raising further significant questions about the Council's projected windfall allowance.

Policy-by-Policy Table

Policy / Policy Area	Summary	Practical Outworkings
General Principles (GP1)	Overarching: infrastructure, environment, design, quality.	Creates tension. Adds evidence requirements delaying permissions and reducing yield.
Housing Design & Quality (HOU1/HOU2)	Masterplanning, design standards, avoidance of piecemeal development.	Slows delivery and reduces developable areas of settlements and sites.
Affordable Housing (HOU3)	20% on qualifying sites.	Not wanted by Social Housing providers, increases viability pressures and introduces/increases delivery delay on marginal sites.
Accessible & Adaptable Homes (HOU4)	Higher standards.	Higher build costs; reduction in unit numbers.
Open Space Protection (OS)	Protects existing open spaces; provision for public open space in new schemes.	Removes potential windfall and infill sites; reduces density potential.
Infrastructure/Utilities	Requires proof of essential public	Duplicates existing mechanisms. Rate limits housing delivery without public investment that is outside the control of the Council. Rate limits

Policy / Policy Area	Summary	Practical Outworkings
	infrastructure delivery & capacity.	provision of private infrastructure. Reduces and restricts housing supply.
Economic Development (ED) Policies (e.g., ED 3)	Protects employment land; prioritises business uses; controls alternative uses.	Potential housing on poor quality/unsuitable employment land impossible. Older mixed-use/brownfield sites will not be released for housing. Infrastructure focus may tilt toward jobs rather than residential dwellings.

Table 1 – Policy by Policy Impact

Assessment of Soundness of the Draft Local Development Plan Strategy

Relevant Soundness Tests

The established Tests of Soundness considered relevant to the Ards and North Down draft Local Development Plan Strategy (dLDPS) are summarised as follows:

- **C3** – The Plan has been prepared in accordance with the Regional Development Strategy (RDS);
- **C4** – The Plan has had regard to other relevant plans, policies and strategies;
- **CE1** – The Plan sets out a coherent strategy from which its policies and allocations logically flow;
- **CE2** – The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives;
- **CE3** – There are clear mechanisms for implementation and monitoring; and
- **CE4** – The Plan is reasonably flexible to enable it to deal with changing circumstances.

The principal concerns relate to **tests CE1–CE4**, along with **C2** and **C4** which are considered below.

Test CE1 – Coherent Strategy

The Draft Plan Strategy seeks to:

- deliver **15,608 dwellings** over the plan period;
- promote economic growth through the creation of **7,500 jobs** requiring approximately **205,000sqm of employment floorspace on 25ha of land**;
- protect existing employment land and floorspace, despite a recognised **oversupply of approximately 37ha**;
- protect existing open space;
- apply strong environmental safeguards; and
- require infrastructure availability (notably wastewater infrastructure) prior to the approval of development.

While each of these objectives may be justified individually, their interaction creates significant internal tension within the Plan Strategy.

In particular, the strategy relies heavily on housing delivery from **windfall development and urban capacity sites**, while simultaneously introducing policies which materially constrain the very mechanisms through which such development would typically occur.

These include:

- restrictive residential design and density requirements within **Policy HOU2**;
- strong protection of open space through **Policy OS1**;
- strong protection of employment land through **Policy ED3**, despite the recognised oversupply of employment land; and
- infrastructure preconditions embedded within **Policy GP1** and related policies.

When considered cumulatively, these policies restrict the redevelopment, intensification and brownfield regeneration opportunities that have historically generated windfall and urban capacity housing supply within the Borough.

As a result, the strategy assumes housing delivery from sources which the policy framework itself materially constrains. This creates a clear internal tension between the strategic objective of housing growth and the operational policies intended to deliver it.

CE1 Test Conclusion

The Draft Plan Strategy does not adequately demonstrate how the proposed housing requirement of **15,608 dwellings** will be delivered in practice. The strategy relies heavily on windfall development without demonstrating that such delivery remains achievable under the policy framework proposed in the dLDPS.

Accordingly, the relationship between the strategic housing objective and the operational policy framework is not coherent and the Plan fails soundness test **CE1**.

Test CE2 – Realistic and Appropriate Strategy

To satisfy soundness test CE2, the housing trajectory must be:

- based on **effective land supply**;
- supported by **infrastructure alignment**; and
- **realistically deliverable** within the plan period.

Windfall Site Allocation

The Draft Plan Strategy relies heavily on windfall development. Windfall housing is defined within the Plan as development that was **not anticipated during the formulation of the development plan** but which becomes available during the plan period.

It is inherently difficult to reconcile the concept of unanticipated development with the allocation of a fixed windfall figure within the Plan Strategy.

More fundamentally, the reliance on windfall delivery at the level proposed is not realistic for several reasons:

- Windfall development is a **diminishing resource**, particularly where earlier development plans contained significant areas of unzoned land capable of accommodating windfall development.
- Much of the historic windfall delivery within the Borough occurred under the **North Down and Ards Area Plan (1984–1995)** which contained extensive areas of unzoned land.

- The dLDPS introduces a significantly more restrictive policy framework, including housing design policies, employment land protection and open space protection, which materially constrain the principal sources of windfall supply.

The Plan therefore assumes that historic levels of windfall delivery will continue without demonstrating that such delivery remains achievable under the proposed policy framework.

Infrastructure Constraints

The Plan also requires that infrastructure capacity—particularly wastewater infrastructure—must be confirmed prior to development being permitted.

In practice this requirement functions as a **delivery precondition**, despite the widely acknowledged funding and capacity constraints affecting Northern Ireland Water's wastewater infrastructure network.

While non-mains wastewater provision could theoretically provide an alternative delivery mechanism, the Draft Plan Strategy imposes additional policy restrictions which effectively prevent this from functioning as a viable alternative.

This policy framework duplicates existing regulatory regimes already administered by Northern Ireland Water and the Northern Ireland Environment Agency, introducing an additional layer of approval and uncertainty.

Without clear evidence that infrastructure investment is programmed in parallel with housing allocations, there is a significant risk that sites identified as deliverable will not be delivered within the plan period.

Employment Land Protection (Policy ED3)

Policy **ED3** further restricts flexibility within the housing land supply by preventing the redevelopment of employment land for alternative uses, including housing.

This restriction is particularly problematic given that the Draft Plan Strategy itself recognises a **significant oversupply of employment land**, estimated at approximately **37.28 hectares** compared with the **25 hectares required** to meet the employment growth target.

In circumstances where housing allocations underperform, the rigid protection of surplus employment land removes a potential source of alternative housing supply within settlements.

Open Space Protection

Policies protecting open space further restrict potential infill and windfall development opportunities within settlement boundaries.

While open space protection serves legitimate environmental objectives, the cumulative effect of these policies is to sterilise potential development sites and further constrain housing supply.

CE2 Test Conclusion

The Draft Plan Strategy does not demonstrate that the housing trajectory is realistically deliverable under the proposed policy framework.

The reliance on windfall development, combined with infrastructure constraints, restrictive housing policies, open space protection and rigid employment land protection policies, creates a material risk of housing under-delivery.

Accordingly, the Draft Plan Strategy fails soundness test **CE2**.

Test CE3 – Implementation and Monitoring

Soundness test CE3 requires clear mechanisms for implementation and monitoring.

While the Draft Plan Strategy refers to monitoring, there is limited clarity regarding:

- how windfall delivery will be monitored;
- how infrastructure constraints will be addressed if delivery stalls;
- what intervention mechanisms are available to the Council;
- what triggers would prompt intervention; and
- whether employment land protection policies would be reconsidered if housing delivery falls below trajectory.

Without clearly defined monitoring triggers and intervention mechanisms, the Plan risks becoming reactive rather than proactive.

CE3 Test Conclusion

The Draft Plan Strategy does not provide sufficient clarity regarding how housing delivery will be monitored or how the Council will respond if delivery falls below expected levels.

Accordingly, the Plan raises concerns in respect of soundness test **CE3**.

Test CE4 – Flexibility

Soundness test CE4 requires that the development plan be sufficiently flexible to respond to changing circumstances.

However, the policy framework set out in the Draft Plan Strategy:

- relies heavily on uncertain windfall delivery;
- strongly protects employment land despite a significant oversupply;
- strongly protects open space regardless of quality or usability;
- applies prescriptive environmental constraints; and
- requires infrastructure availability that is outside both the Council's and developers' control.

Collectively, these policies significantly limit flexibility in land release.

If windfall delivery does not occur at the levels predicted, infrastructure constraints continue, or market conditions change—as is inevitable within the housing market—the Plan contains limited mechanisms to compensate.

This lack of flexibility is particularly notable given the acknowledged oversupply of employment land which could otherwise provide a potential source of flexibility within the land supply.

CE4 Test Conclusion

The Draft Plan Strategy does not contain sufficient flexibility to maintain housing delivery throughout the plan period and therefore raises concerns in respect of soundness test **CE4**.

Test C3 – Consistency with the Regional Development Strategy

The Regional Development Strategy requires sustainable settlement growth, adequate housing land supply and balanced economic development.

While the Draft Plan Strategy seeks to align with these objectives in principle, failure to ensure the deliverability of the housing requirement undermines its alignment with regional housing growth objectives.

Test C2 – Alignment with the Community Plan

Soundness test C2 requires that the Local Development Plan supports the delivery of the Council's Community Plan.

The Community Plan identifies objectives relating to sustainable communities, economic growth and improved wellbeing. The delivery of an adequate housing supply is fundamental to achieving these objectives.

If the strategic housing requirement is not delivered, the spatial strategy will not support the population growth, settlement development and housing availability necessary to underpin the Community Plan's outcomes.

Accordingly, the Draft Plan Strategy raises concerns in respect of soundness test **C2**

Test C4 – Consistency with Other Relevant Strategies

Soundness test C4 requires that the Local Development Plan has had regard to other relevant plans, policies and strategies relating to the Council's district.

The Council's **Integrated Tourism, Regeneration and Economic Development Strategy (2018–2030)** sets out the long-term economic development vision for the Borough and expressly recognises that the Local Development Plan will play a key role in delivering that vision through spatial planning and land use decisions.

The Draft Plan Strategy acknowledges the Economic Strategy and adopts its projected **“success scenario” of approximately 7,500 additional jobs** as a key component of the Borough's growth strategy.

However, while the Draft Plan Strategy appears to adopt the headline employment growth ambitions of the Economic Strategy, it does not fully reflect the spatial and land-use implications of that strategy.

The Economic Strategy emphasises a number of key spatial principles including:

- the development of **town and village centres as hubs for economic activity and regeneration;**
- the promotion of **mixed-use development and flexible workspace in centres;**
- the importance of **public transport corridors as locations for higher density residential and economic growth;** and

- the need to avoid **overly rigid zoning approaches which may inhibit mixed-use regeneration and new forms of economic activity.**

By contrast, the Draft Plan Strategy introduces a policy framework which places strong emphasis on:

- protection of existing employment land;
- protection of open space; and
- restrictive criteria affecting redevelopment, intensification and the reuse of existing buildings.

While these policies may each serve legitimate objectives, their cumulative effect may restrict the redevelopment and mixed-use regeneration opportunities which the Economic Strategy identifies as key drivers of economic growth and place-based regeneration.

In particular, the strong protection afforded to employment land through Policy ED3 may limit the redevelopment of older or under-utilised industrial sites for mixed-use regeneration, even though such sites historically have provided opportunities for town centre revitalisation and residential growth in sustainable locations.

Similarly, the strong presumption against the loss of open space contained in Policy OS1 may constrain redevelopment opportunities within settlements where land is already limited and where regeneration initiatives could otherwise support town centre vitality.

The Economic Strategy itself cautions against an **“unresponsive zoning approach that stymies the potential for mixed use development or pioneering developments in new locations.”**

Taken together, these policy tensions raise questions as to whether the Draft Plan Strategy has fully had regard to the spatial regeneration objectives of the Economic Strategy.

While the plan clearly acknowledges the Economic Strategy and adopts its employment growth projections, it does not demonstrate how the detailed policy framework will enable the flexible, centre-focused regeneration model advocated by that strategy.

This issue is particularly relevant given that the Draft Plan Strategy itself identifies a significant oversupply of employment land relative to projected demand. In such circumstances, a rigid policy approach to employment land retention may reduce the flexibility required to deliver the mixed-use regeneration and place-based economic development envisaged by the Economic Strategy.

Accordingly, there is a concern that the Draft Plan Strategy has adopted the economic growth aspirations of the Economic Strategy without fully reflecting the spatial development approach required to achieve them.

For these reasons the Draft Plan Strategy raises concerns in respect of soundness test **C4**, as it does not clearly demonstrate that it has had full regard to the spatial and regeneration implications of the Council's own Economic Development Strategy.

Overall Soundness Conclusion

The Draft Plan Strategy identifies an appropriate housing requirement; however, without clear evidence of deliverability and flexibility, there is a high risk that the Plan if adopted in the current form would not meet the established tests of soundness in respect of coherence, effectiveness and flexibility.

When assessed against the established Tests of Soundness, the Draft Plan Strategy raises significant concerns in respect of coherence, deliverability and flexibility.

The plan identifies an ambitious strategic housing requirement but relies heavily on supply sources such as windfall and urban capacity while simultaneously introducing policy constraints that may limit those very sources of development. The interaction between these policies creates internal tension within the strategy and raises doubts as to whether the housing trajectory is realistically deliverable.

In addition, while the plan acknowledges the Council's Economic Strategy and adopts its employment growth ambitions, the detailed land-use policies do not clearly demonstrate how the mixed-use regeneration and centre-focused development model promoted by that strategy will be delivered.

Taken together, these issues raise concerns in respect of soundness tests CE1, CE2, CE3 and CE4, and also give rise to potential issues under C2 and C4 relating to the alignment of the spatial strategy with wider strategic objectives.

Accordingly, the Draft Plan Strategy does not currently demonstrate that it provides a clear, coherent and deliverable framework capable of achieving its stated vision and objectives.

Soundness Assessment Matrix

Soundness Test	Issue Identified	Evidence / Policy Context	Consequence
C2 – Community Plan Alignment	Spatial strategy may not effectively support Community Plan outcomes	Housing delivery underpins population growth, sustainable communities and economic development objectives set out in the Community Plan	If the housing requirement is not delivered, the plan will not support wider social and economic objectives
C3 – Consistency with Regional Policy (RDS / SPPS)	Certain policies appear inconsistent with regional policy direction	Example: enabling development provisions and restrictive countryside policy framework may conflict with SPPS enabling development principles	Creates policy inconsistency and risks undermining established regional planning policy objectives
C4 – Regard to Other Relevant Strategies	Economic Strategy emphasises mixed-use regeneration, town centre hubs and flexible land use	Draft Plan Strategy adopts employment growth targets but retains strong protectionist policies such as ED3 and OS1 which may restrict mixed-use regeneration	Raises questions as to whether the spatial planning framework fully reflects the regeneration approach of the Economic Strategy

Soundness Test	Issue Identified	Evidence / Policy Context	Consequence
CE1 – Coherent Strategy	Strategic housing growth objectives conflict with restrictive operational policies	Plan relies heavily on urban capacity and windfall sites while policies such as HOU2, OS1 and ED3 restrict redevelopment, intensification and brownfield reuse	Internal tension between objectives and policies undermines the coherence of the strategy
CE2 – Realistic and Deliverable Strategy	Housing trajectory relies heavily on uncertain supply components	SGS5 identifies substantial supply from windfall and urban capacity which may be constrained by operational policy framework and infrastructure limitations	Housing delivery assumptions may not be robust or achievable within the plan period
CE3 – Implementation and Monitoring	Limited clarity on mechanisms for addressing delivery failure	Reserve land release (SGS6) lacks clear triggers, delivery mechanisms and infrastructure alignment evidence	Monitoring framework may not respond quickly enough to prevent housing supply shortfalls
CE4 – Flexibility	Plan may lack flexibility if delivery underperforms	Strong protection of employment land and open space reduces ability to release alternative sites if housing supply falls below trajectory	Limits the plan's ability to adapt to changing circumstances or delivery constraints

Modifications as outlined below would strengthen the Plan's robustness and ensure delivery of the 15,608 dwelling requirement.

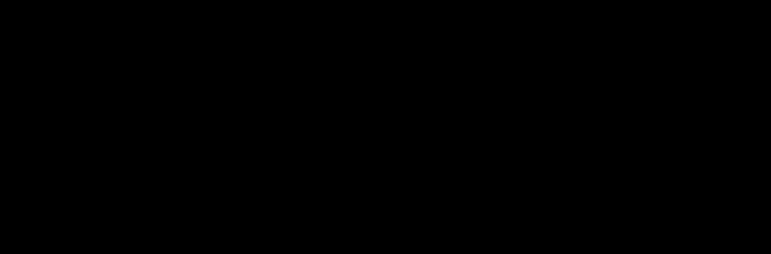
Suggested Modifications

To ensure that the draft Plan Strategy meets the required tests of soundness, we suggest that the Council ought to consider the following:

1. Demonstrate that the projected windfall is based on realistic assumptions and sieved through the Council's own restrictive policies. If the projected windfall is demonstrated to be unrealistic the Plan should allocate additional lands to accommodate the proposed growth in population and resultant increase in number of dwellings required.
2. Demonstrate that housing trajectory assumptions are based on effective (serviced and unconstrained) land supply. If this is demonstrated to not be possible the Plan should allocate additional lands to accommodate the proposed growth in population and resultant increase in the number of required dwellings.
3. Clarify that urban capacity figures exclude constrained and policy-sterilised land unless mitigation is demonstrably achievable.
4. Provide clear evidence of infrastructure alignment with housing growth in the context that wastewater provision is outside the jurisdiction of the Council. In the very obvious absence of the ability to evidence this alignment the plan should remove this as a policy requirement completely.
5. Introduce increased flexibility to allow the provision of private wastewater infrastructure in the form of non-mains wastewater provision to act as a release valve to the heavily constrained public supply of appropriate wastewater provision.
6. Introduce flexibility within Policy ED3 to allow release of unsuitable or unused employment land for the provision of housing supply by allocating required floorspace to each zoned site and allowing the residual land after employment development to be used for other purposes.
7. Establish clear monitoring triggers and contingency mechanisms when delivery falls below trajectory benchmarks.

We trust that this representation will be afforded the Council's full attention in the formulation of the dLDPS and humbly suggest that it amends the dLDPS to reduce the reliance on windfall that it cannot possibly predict, provide additional land zonings for housing, provide greater flexibility around the reuse of employment land for other purposes as a result of the massive over allocation of employment land and chronic under provision of housing land, and provide a policy regime that does not create tension within the plan and provides a clearer more coherent mechanism of achieving the Council's stated aim of population increase with the resultant increase in the number of homes and jobs within the Council's jurisdiction.

Yours faithfully



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For Pragma Planning and Development Consultants Limited