

NORTH WEST LEICESTERSHIRE LOCAL PLAN

HEARING STATEMENT MATTER 5

DECEMBER 2016

REPRESENTATIONS ON BEHALF OF:

ROSCONN STRATEGIC LAND (ID: 36)

Pegasus Group

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PLANNING | **DESIGN** | **ENVIRONMENT** | **ECONOMICS**

1. INTRODUCTION

- 1.1 This further hearing statement is submitted on behalf of our clients Rosconn Strategic Land in respect of the submitted Local Plan.
- 1.2 This statement is in response to the to the Inspector's schedule of matters which will form the basis of the discussion at the examination hearing sessions commencing on the 5th January 2017.
- 1.3 This statement supplements original representations submitted on behalf of Rosconn Strategic Land, submitted by Define.

2. MATTER 5: HOUSING LAND SUPPLY

a. Are the housing sites with planning permission nominated in Policy H1 deliverable in terms of national policy and guidance and as indicated in the Housing Trajectory? [BP/04 as updated from October 2016, HO/05-06] 4

2.1 It is recognised that the sites contained within Policy H1 have the benefit of planning permission and can therefore be assumed to be suitable, with a realistic prospect that housing will be delivered on the site within five years. However, whilst there is a realistic prospect that housing will be delivered, it should not be assumed that all sites will come forward or that they will commence within a five year period for a range of reasons including market and other constraints (such as ownership, difficulty with access, problems with land conditions etc.). In addition, in an adverse market there can be redesigns on sites to improve their viability which could affect the final yield realised on a site.

2.2 Rosconn Strategic Land is not suggesting these sites shouldn't be included, however, the assumptions for 100% delivery contained within the Housing Trajectory remains overly ambitious and provides no contingency for non-delivery or a delay in the delivery of sites within this element of the identified supply.

b. Are the housing sites with resolutions to approve nominated in Policy H2 deliverable in terms of national policy and guidance and as indicated in the Housing Trajectory? [BP/04]

2.3 Sites with only a resolution to approve cannot be classified as sites which are available now, without clear evidence (the approach of NPPF).

2.4 In such circumstances, the Housing Trajectory should only assume delivery beyond the initial five year period. It is recognised that updated Background Paper 4 (EX/17) updates the list of sites that have a resolution to grant planning permission and therefore West of High Street, Measham should be pushed back and assumed to deliver no earlier than 2021, beyond the initial five year period.

c. Should the housing sites with resolutions to approve nominated in Policy H2 be formally allocated in the Plan? [BP/04]

2.5 Rosconn Strategic Land support the allocation of these sites within the Local Plan, however these sites must be recognised as ‘developable’ and not assumed to be deliverable within the next five year period.

d. Are the housing sites allocated by Policy H3a-c justified and deliverable in terms of national policy and guidance and as indicated in the Housing Trajectory? [BP/04]

2.6 Rosconn Strategic Land is not suggesting these sites shouldn’t be allocated, however, the assumptions for delivery contained within the Housing Trajectory remains overly ambitious and provides no contingency for non-delivery or a delay in the delivery of sites within this element of the identified supply.

2.7 The Housing Trajectory should only assume delivery beyond the initial five year period in respect of those sites, absent clear evidence of likely earlier delivery. It is recognised that updated Background Paper 4 (EX/17) updates the list of sites that have a resolution to grant planning permission and therefore Land off Waterworks Road, Measham should be pushed back and assumed to deliver no earlier than 2021, beyond the initial five year period.

e. Does the Housing Trajectory demonstrate realistically that the housing development for which the Plan provides will come forward within the Plan period? [BP/04]

2.8 Given the evidence provided by Rosconn Strategic Land to Matter 3 and for the reasons set out in this Paper, insufficient flexibility has been provided within the Local Plan to ensure the appropriate housing requirement, having regard to the objective assessed housing need, will be delivered across the Plan period. Of particular concern is that lack of land that has been identified to deliver such a requirement.

2.9 This concern is highlighted within the recently published Rolling Five Year Assessment (EX/22) that demonstrates the Local Plan, as submitted, would deliver a yield of 10,615 dwellings between 11 and 2031. This provides a buffer of only 2% over and above the Council’s proposed housing requirement of 10,400 over the Plan period.

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- 2.10 This seems to contradict the updated Background Paper 4 Update (EX/17) published alongside EX/22 which makes reference to the delivery of 10,592 dwellings across the Plan period – a position that reduces the buffer further to 1.8% over and above the proposed housing requirement. This negligible buffer has almost halved since the position set out in original Housing Trajectory, which highlighted an assumed delivery of 10,769 dwellings over the Plan period, which equated to a buffer of 3.5%.
- 2.11 The change in position since October 2015 demonstrates the ‘live’ nature of housing land supply where circumstances and facts on the ground can change over a short period of time. The incorporation of a buffer is imperative to ensure the Local Plan can realistically deliver the appropriate housing requirement across the Plan period and ensure the Plan is ‘effective.’
- 2.12 The NPPF is clear, at paragraph 47, that local planning authorities should ‘boost significantly the supply of housing’ and in doing so should identify key sites critical to the delivery of the housing strategy and a supply of specific deliverable sites to provide five years worth of housing against the appropriate housing requirement and a specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15. The trajectory provides a strong indication that the proposed allocations are not sufficient to ensure delivery of the full, objectively assessed needs for market and affordable housing in the District and maintain a rolling five year supply of housing to ensure choice and competition. In addition, updated Background Paper 4 (EX/17), at paragraph 7.5, makes reference to 1,674 affordable homes projected to be provided within the Plan period, which equates to 16% of all new development; this falls significantly short of the affordable housing need identified within the Review of Housing Requirement (2011-2031) which identifies an annual affordable need/requirement of 212 dwellings which equates to 41% of the overall housing requirement identified in the submitted Local Plan. The housing trajectory therefore fails to provide the affordable housing requirements for the District in line with paragraph 47 of the NPPF.
- 2.13 If the committed and proposed allocated sites experience an element of delay, due to site specific or market issues, and do not deliver in line with the proposed housing trajectory then the 1.8% ‘headroom’ within the supply will rapidly dissipate. To ensure the Plan is effective, Rosconn Strategic Land promote the incorporation of a robust buffer of 10-15% in the supply over a Plan period to ensure flexibility and provide a realistic prospect that the

Plan requirement can be delivered. Based on a submitted housing requirement of 10,400, this would require the Local Plan to provide enough land, through additional allocations, to deliver a minimum of 11,440-12,000 homes.

- 2.14 This approach is supported by the Local Plan Expert Group (LPEG) Report to Government which identifies the following recommendation for Local Plans:

“local plans should be required not only to demonstrate a five year land supply but also focus on ensuring a more effective supply of developable land for the medium to long term (over the whole plan period), plus make provision for, and provide a mechanism for the release of, developable Reserve Sites equivalent to 20% of their housing requirement, as far as is consistent with the policies set out in the NPPF. Reserve Sites represent land that can be brought forward to respond to changes in circumstances.”

- 2.15 This approach would require the identification of Reserved Sites that could demonstrate the delivery of a further 2,080 homes against a housing requirement of 10,400. Indeed, if the appropriate housing requirement were to increase, the requirement to identify reserved land would also increase proportionately.
- 2.16 The Plan as submitted, provides no real flexibility and further land should be allocated to ensure the Local Plan is effective in delivering the appropriate housing requirement.
- 2.17 Having reviewed the SHLAA published in 2016, there is a considerable amount of land that has been identified by the Council that is potentially suitable, available and achievable. In light of this, it is clear that there are no capacity issues preventing additional land from being allocated within the Local Plan. It is recommended that additional land is brought forward through further allocations in order to increase contributions from existing sources, particularly deliverable sites. Deliverable sites are likely to be greenfield and on the edge of existing settlements.
- 2.18 Rosconn Strategic Land controls a site within the identified Sustainable Village of Heather which is evidenced to be suitable, available and deliverable and should be included as an additional allocation in the plan to assist in providing the necessary flexibility to ensure delivery of the required housing.
- 2.19 In addition, the provision of additional housing in Sustainable Village settlements will assist in meeting local development needs, including supporting the services and facilities that

exist in those locations, and ensuring the continued sustainability of those settlements in the long term.

f. Is it robustly demonstrated that the Plan can deliver a Five Year Housing Land Supply (5YHLS) throughout the Plan period, calculated in accordance with national policy and guidance, taking account of past delivery performance and applying the appropriate five or twenty per cent supply buffer. [BP/04]

2.20 One aspect to first deal with is whether there has been any shortfall in provision that may have arisen since the start of the Plan period, where completions have failed to meet requirements. There are two approaches taken to deal with any shortfall. The first is a residual approach (sometimes called the Liverpool approach) where the shortfall is spread across the plan period. The second approach seeks to make up the shortfall in the next five year period. This is known as the Sedgefield approach. It is also the approach advocated in the PPG which advises that Local Planning Authorities should aim to deal with any undersupply within the first five years of the plan period where possible.

2.21 The Rolling Five Year Assessment (EX/22) sets out the position on an annual basis as at 1st October. This demonstrates that North West Leicestershire District has under delivered in the Plan period to date, with a shortfall of 170 dwellings highlighted as at 1st October 2016. This under supply has been added to the five year requirement in line with the Sedgefield approach which is endorsed.

2.22 A further aspect to consider is whether the Council has persistently under delivered against the relevant housing requirement. Information contained within the Housing Completions April 2011 to October 2016 table (EX/21) highlights that the Council has failed to meet the proposed housing requirement in 3 out of 5 complete years over the Plan period to date. It should also be noted that it has been agreed by North West Leicestershire District Council at recent appeals that they are an authority where persistent under delivery of housing has occurred and where a 20% buffer should apply. Recent examples include Land South of Greenhill Road, Coalville (APP/G2435/W/15/3005052) and Land on East Side of Butt Lane, Blackfordby (APP/G2435/W/15/3137258). Rosconn Strategic Land would agree with the Council, that a 20% buffer is the appropriate buffer to apply to the five year requirement in the short to medium term.

- 2.23 The Rolling Five Year Assessment (EX/22) shows that the Local Plan housing trajectory can best be described as providing a precarious position in respect of the five year supply position each year through the Plan period, with a dwindling position from 2021 onwards to a point in 2025 where the supply falls below five years at 2025 utilising a 20% buffer. In light of our response to Matter 5e above, the identification of further sites to provide an adequate buffer, or the identification of reserve sites if necessary, is required to ensure the Plan can not only deliver the appropriate housing requirement but to ensure that a rolling five year supply can be robustly maintained throughout the Plan period.
- 2.24 It is recognised that the purpose of a settlement hierarchy is to direct development to the most sustainable locations that are able to accommodate development. Alongside this, however, must be a consideration of the effectiveness of the strategy. This latter consideration is often disregarded by local planning authorities, with the best intentions, in an attempt to secure benefits of delivering a critical mass of development in larger and more sustainable settlements and limiting development in more rural locations. Generally, larger forms of development often require greater preparatory work and infrastructure requirements and therefore can take a number of years, understandably, for first completions to be delivered. In response to this and the difficulties it can cause local planning authorities, it is recommended that additional smaller sites are identified that can assist in supplementing the housing land supply throughout the Plan period and provide greater certainty that a robust rolling five year supply can be maintained.
- 2.25 The District Council has chosen to concentrate development in particular locations (such as the principal town of Coalville and key service centres) based upon sustainability credentials, however there is concern that due to the overall scale of development in particular locations with multiple sites being projected to deliver at the same time, dwellings may not come forward as envisaged in the housing trajectory.
- 2.26 It should be noted that an approach to focus development in limited locations in other nearby Districts, such as Charnwood, Blaby, Rushcliffe and Lichfield, has led to slower than anticipated annual completions and subsequently a five year housing land supply deficit. Clearly, such an outcome would be undesirable and would inevitably leave the Council vulnerable to speculative planning applications or development in less sustainable locations. In order to prevent unwanted sites from coming forward and for the Council to ensure development is plan-led, it is advisable that additional sites in Sustainable Village

settlements are identified as these will provide a valuable contribution to maintaining a robust housing land supply throughout the Plan period.

g. Does the Plan make appropriate provision for Gypsy and Traveller sites? [BP/05, HO/07]

2.24 No comment.

h. Can the environmental effects of the housing sites allocated by Policy H3a-c be acceptably mitigated when compared with reasonable alternatives [LP/04-05]

2.25 No comment

i. Is the inclusion of additional land and increase in the allocated housing capacity of Site H3a, Money Hill, from 1,750 to 2,050 by MM now proposed by the Council (1,500 in the Plan period) justified on available evidence?

2.26 No comment