

Gladman Developments Ltd

Representations on the North West Leicestershire Local Plan

Schedule of Main Modifications

July 2017



CONTENTS

| | | |
|----------|---------------------------------------------------------------------------|----------|
| 1 | Executive Summary | 1 |
| 2 | Introduction | 2 |
| 2.1 | Context..... | 2 |
| 3 | National Planning Policy | 3 |
| 3.1 | National Planning Policy Framework and Planning Practice Guidance..... | 3 |
| 4 | Fixing our Broken Housing Market – White Paper February 2017 | 5 |
| 4.1 | Overview..... | 5 |
| 5 | Modifications | 7 |
| 5.1 | Main Modification MM3..... | 7 |
| 5.2 | Main Modification MM6..... | 8 |
| 5.3 | Main Modification MM8..... | 8 |
| 5.4 | Main Modification MM9..... | 8 |
| 5.5 | Main Modification MM10..... | 9 |
| 5.6 | Main Modification MM13..... | 10 |
| 5.7 | Main Modification MM18..... | 10 |
| 5.8 | Main Modification MM21..... | 11 |
| 5.9 | Main Modification MM28..... | 11 |
| 5.10 | Main Modification MM29..... | 11 |
| 5.11 | Main Modification MM45..... | 11 |

1 EXECUTIVE SUMMARY

- i. This submission provides Gladman Developments Limited's written representations on the North West Leicestershire Local Plan (NWLLP) Main Modifications.
 - ii. Gladman specialise in the promotion of strategic land for residential development with associated community infrastructure and has previously been involved in the preparation of the NWLLP as well as with site delivery in North West Leicestershire.
 - iii. These representations concern the following matters:
 - The overall housing requirement
 - The Local Plan Review mechanism
 - The Settlement Hierarchy
 - The housing provision as set against the housing requirement
 - Heritage Assets
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2 INTRODUCTION

2.1 Context

2.1.1 Gladman Developments specialise in the promotion of strategic land for residential development with associated community infrastructure. This submission provides Gladman Developments' representations on the NWLLP Modifications.

2.1.2 The National Planning Policy Framework sets out four tests that must be met for Local Plans to be considered sound. In this regard, we submit that in order to prepare a sound plan it is fundamental that it is:

- **Positively Prepared** – The Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
 - **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on a proportionate evidence base.
 - **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
 - **Consistent with National Policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.
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3 NATIONAL PLANNING POLICY

3.1 National Planning Policy Framework and Planning Practice Guidance

3.1.1 The National Planning Policy Framework has been with us now for over four years and the development industry has experience with its application and the fundamental changes it has brought about in relation to the way the planning system functions. The Framework sets out the Government's goal to 'significantly boost the supply of housing' and how this should be reflected through the preparation of Local Plans. In this regard, it sets out specific guidance that local planning authorities must take into account when identifying and meeting their objectively assessed housing needs:

"To boost significantly the supply of housing, local planning authorities should:

- Use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area***
- Identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements..."***
- Identify a supply of specific, developable sites or broad locations for growth, for years 6-10, and where possible for years 11-15" (Paragraph 47)"***

3.1.2 The starting point of identifying objectively assessed housing needs is set out in paragraph 159 of the NPPF, which requires local planning authorities to prepare a Strategic Housing Market Assessment, working with neighbouring authorities where housing market areas cross administrative boundaries. It is clear from the Framework that the objective assessment of housing needs should take full account of up-to-date and relevant evidence about the economic and social characteristics and prospects of the area, with local planning authorities ensuring that their assessment of and strategies for housing and employment are integrated and take full account of relevant market and economic signals (paragraph 158).

3.1.3 Once a local authority has identified its objectively assessed needs for housing these needs should be met in full, unless any adverse impacts would significantly and demonstrably outweigh the benefits of doing so (paragraph 14). Local planning authorities should seek to achieve each of the economic, social and environmental dimensions of sustainable development, and net gains across all three. Adverse impacts on any of these dimensions should be avoided. Where adverse impacts are unavoidable, mitigation or compensatory measures may be appropriate (paragraph 152).

3.1.4 As the Council will be aware the Government published its final suite of Planning Practice Guidance (PPG) on the 6th March 2014, clarifying how specific elements of the Framework should be interpreted when preparing their Local Plans. The PPG on the Housing and Economic Development Needs in particular provides a clear indication of how the Government expects the Framework to be taken into account when Councils are identifying their objectively assessed housing needs. Key points from this document include:

- Household projections published by the Department for Communities and Local Government should provide the starting point estimate of overall housing need.
 - Plan makers should not apply constraints to the overall assessment of need, such as limitations imposed by the supply of land for new development, historic underperformance, infrastructure or environmental constraints.
 - Household projection based estimates of housing need may need adjusting to reflect factors affecting local demography and household formation rates which are not captured by past trends, for example historic suppression by under supply and worsening affordability of housing. The assessment will need to reflect the consequences of past under delivery and the extent to which household formation rates have been constrained by supply.
 - Plan makers need to consider increasing their housing numbers where the supply of working age population is less than projected job growth, to prevent unsustainable commuting patterns and reduced local business resilience.
 - Housing needs indicated by household projections should be adjusted to reflect appropriate market signals, as well as other market indicators of the balance between the demand for and supply of dwellings.
 - The more significant the affordability constraints (as reflected in rising prices and rents, and worsening affordability ratio) and the stronger other indicators of high demand (e.g. the differential between land prices), the larger the improvement in affordability needed, and the larger the additional supply response should be.
 - The total affordable housing need should be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered by market housing led developments. An increase in the total housing figures included in the local plan should be considered where it could help to deliver the required number of affordable homes.
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4 FIXING OUR BROKEN HOUSING MARKET – WHITE PAPER FEBRUARY 2017

4.1 Overview

- 4.1.1 The Government are in no doubt that the housing market in Britain is broken which, according to the Prime Minister, is one of the greatest barriers to progress in the country today.
- 4.1.2 Average house costs are almost eight times average earnings which is an all-time record and soaring prices and rising rents caused by a shortage of the right homes in the right places has slammed the door of the housing market in the face of a whole generation
- 4.1.3 The reason for this crisis is that the Country is simply not building enough homes and has not done so for far too long. The consensus is that we need from 225,000 to 275,000 or more homes per year to keep up with population growth and to start to tackle years of under-supply.
- 4.1.4 Everyone involved in politics and the housing industry therefore has a moral duty to tackle this issue head on. The White Paper states quite unequivocally that ‘the housing shortage isn’t a looming crisis, a distant threat that will become a problem if we fail to act. We are already living in it.’
- 4.1.5 Tackling the housing shortage is not easy. It will inevitably require some tough decisions. But the alternative, according to the White Paper, is a divided nation, with an unbridgeable and ever-widening gap between the property haves and have-nots.
- 4.1.6 The challenge of increasing supply cannot be met by Government alone. It is vital to have local leadership and commitment from a wide range of stakeholders, including local authorities, private developers, housing associations, lenders and local communities.
- 4.1.7 The starting point is building more homes. This will slow the rise in housing costs so that more ordinary working families can afford to buy a home and it will also bring the cost of renting down. We need more land for homes where people want to live. All areas therefore need a plan to deal with the housing pressures they face.
- 4.1.8 Currently, over 40 percent of local planning authorities do not have a plan that meets the projected growth in households in their area. All local authorities should therefore develop an up-to-date plan with their communities that meets their housing requirement based upon an honest assessment of the need for new homes.
- 4.1.9 Local planning authorities have a responsibility to do all that they can to meet their housing requirements, even though not every area may be able to do so in full. The identified housing requirement should be accommodated in the Local Plan, unless there are policies elsewhere in the National Planning Policy Framework that provide strong reasons for restricting development, or the adverse impacts of meeting this requirement would significantly and demonstrably outweigh the
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- benefits. Where an authority has demonstrated that it is unable to meet all of its housing requirement, it must be able to work constructively with neighbouring authorities to ensure the remainder is met.
- 4.1.10 Plans should be reviewed regularly, and are likely to require updating in whole or in part at least every five years. A local planning authority will also need to update their plan if their existing housing target can no longer be justified against their objectively assessed housing requirement.
- 4.1.11 Policies in Local Plans should also allow a good mix of sites to come forward for development, so that there is choice for consumers, places can grow in ways that are sustainable, and there are opportunities for a diverse construction sector including opportunities for SME housebuilders to deliver much needed housing.
- 4.1.12 In terms of rural areas, the Government expects local planning authorities to identify opportunities for villages to thrive, especially where this would support services and help meet the need to provide homes for local people who currently find it hard to live where they grew up. It is clear that improving the availability and affordability of homes in rural areas is vital for sustaining rural communities, alongside action to support jobs and services. There are opportunities to go further to support a good mix of sites and meet rural housing needs, especially where scope exists to expand settlements in a way which is sustainable and helps provide homes for local people. This is especially important in those rural areas where a high demand for homes makes the cost of housing a particular challenge for local people.
- 4.1.13 Finally, the Government have made it clear through the White Paper that local planning authorities are expected to have clear policies for addressing the housing requirements of groups with particular needs, such as older and disabled people.
- 4.1.14 The White Paper is the cornerstone of future Government policy on fixing the broken housing market. It provides the direction of travel the Government is intending to take and is a clear statement of intent that this Government is serious about the provision of the right number of houses, in the right places. The Local Plan therefore needs to consider these policy intentions now in order to ensure that it fulfils the Government's agenda and provides the homes that its local communities need.
- 4.1.15 Following the election, Sajid Javid re-iterated the Government's intentions for boosting housing growth stating that he wants areas that have benefitted from soaring property prices to play their part in solving the housing crisis. Mr Javid pointed out that where property prices were particularly unaffordable, local leaders would need to take a long, hard and honest look to see if they are planning for the right number of homes. He also announced that a new consultation on a standardised methodology for calculating housing needs would be released in July 2017.
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5 MODIFICATIONS

5.1 Main Modification MM3

5.1.1 Gladman maintain their objection to Main Modification MM3 based upon the evidence which was submitted to the Examination in response to the publication of the Leicester and Leicestershire Housing and Economic Development Needs Assessment (HEDNA) 2017.

5.1.2 Our position remains as set out in the work prepared by Barton Willmore, on our behalf, in response to the Inspector's request for the findings of the HEDNA to be considered through the Examination of the NWLLP (Document Ref 58-HEDNA2).

5.1.3 Barton Willmore had some fundamental concerns with the HEDNA, as it related to North West Leicestershire which were highlighted in Document 58-HEDNA2.

5.1.4 Whilst not precisely the same as Barton Willmore's analysis, it is agreed that the following projections from HEDNA represent a quantum of growth that is positive and realistic in the context of the Core Planning Principles of the Framework (para 17, 3rd bullet).

- A planned growth scenario for 54,300 jobs across the HMA, of which 13,000 will be created in North West Leicestershire, over the period 2015 to 2031;
- Full objectively assessed need for 96,520 dwellings, 2011 to 2031 (4,829 per annum), across the eight Leicester and Leicestershire Housing Market Area Districts.

5.1.5 Barton Willmore were also content with the approach taken by HEDNA to the first four years of the plan period (2011 to 2015) in that the ONS mid-year population estimates for 2012, 2013, 2014 and 2015 should determine population change by age and gender, in each district, over that period.

5.1.6 However, Barton Willmore did not find the HEDNA assessment of economic led housing need (future jobs OAN) to be sound, because the future jobs OAN was, in their opinion, unrealistically low based on two grounds:

- First, in the context of the economic activity rate projections from the Office for Budget Responsibility (OBR), HEDNA makes ambitious, and apparently unrealistic assumptions about future increases in economic activity.
- Second, HEDNA assumes that the housing market area and North West Leicestershire will increasingly rely upon labour from outside of the HMA. This is risky and the available evidence (annual population survey resident and workplace based employment estimates) does not appear to support such an approach, but instead supports holding the commuting ratio constant over the plan period.

5.1.7 Taken together, the implication of using the OBR (FSR 2017) economic activity rates and holding the commuting ratio constant, increases the future jobs OAN (planned growth scenario) to 4,755

dwellings per annum at Leicester and Leicestershire Housing Market Area (LLHMA) level and 642 dwellings per annum at North West Leicestershire level.

5.1.8 Barton Willmore's alternative future jobs OAN for the LLHMA is less than the full OAN of 4,892 dwellings per annum calculated by HEDNA after making a market signals/affordable housing need based adjustment to demographic projections. However, in North West Leicestershire, Barton Willmore's future jobs OAN is higher than the full OAN proposed by HEDNA. Accordingly, a full OAN of 642 dwelling per annum for North West Leicestershire should be preferred to the HEDNA alternative.

5.1.9 Gladman therefore consider that Main Modification MM3 should relate to 642 dwellings per annum as the OAN for North West Leicestershire and we recommend the Inspector to consider the representations made on the HEDNA when considering the soundness of the NWLLP along with the Main Modifications.

5.2 Main Modification MM6

5.2.1 Gladman object to Main Modification MM6 in that it fails to make adequate provision for housing within the NWLLP to meet the full OAN as set out in the Barton Willmore assessment detailed above in Section 5.1.

5.3 Main Modification MM8

5.3.1 Gladman welcome the recognition set out in Main Modification MM8 that not all of the other authorities within the HMA will be able to meet their housing need within their own boundaries. This situation makes it all the more important to ensure that, the NWLLP is flexible enough to be able to accommodate its share of the unmet housing need within the HMA and for an effective review mechanism to be in place to ensure that the Plan reflects the outcomes of the Strategic Growth Plan for Leicester and Leicestershire, once it is adopted.

5.4 Main Modification MM9

5.4.1 Gladman object to Main Modification MM9 in that it fails to make adequate provision for housing within the NWLLP to meet the full OAN as set out in the Barton Willmore assessment detailed above in Section 5.1.

5.4.2 Gladman consider that Main Modification MM9 should relate to 642 dwellings per annum as the OAN for North West Leicestershire and we recommend the Inspector to consider the representations made on the HEDNA when considering the soundness of the NWLLP along with the Main Modifications.

5.4.3 However, Gladman support, in part, Main Modification MM9 in relation to the NWLLP review mechanism.

- 5.4.4 Gladman consider that the wording of the review mechanism is clear, easily understandable, and effective and sets achievable targets for the completion of the review. As set out in our Hearing Statements, the triggers for the NWLLP review needed to be meaningful, needed to have teeth and should contain an end date that was in the control of the Local Planning Authority whilst also setting out the consequences of failing to meet the target dates.
- 5.4.5 The proposed wording of the review mechanism which is contained in Main Modification MM9, appears to address the key elements listed above. However, given the recognition in Main Modification MM8 that there will be unmet housing need within the HMA and the fact that all Leicester and Leicestershire authorities are committed to the preparation of a Strategic Growth Plan (SGP) to address the spatial distribution of housing and employment needs across the HMA, it is surprising that there is no mention of the SGP in Main Modification MM9.
- 5.4.6 It is essential therefore for Main Modification MM9 to make reference to the SGP as the adoption of this document is the trigger for the commencement of the NWLLP review and is the reason for the January 2018 commencement date mentioned in the review mechanism. This issue was raised at the Examination in Public and the Council agreed that mention should be made in the supporting text of the SGP. It would be even more effective if reference to the SGP was woven into the actual policy. However, suggested additional wording should be added to Main Modification MM9 to state;

North West Leicestershire are committed to working with all Leicester and Leicestershire Local Planning Authorities on the preparation of the Strategic Growth Plan which is anticipated will be adopted in January 2018. Once adopted, North West Leicestershire will commit to the delivery of the Strategic Growth Plan through the signing of a Memorandum of Understanding with all the Leicester and Leicestershire authorities. The Strategic Growth Plan will then provide the fundamental basis for the review of the North West Leicestershire Local Plan and the preparation of the subsequent Local Plans for all other Leicester and Leicestershire authorities.

5.5 Main Modification MM10

- 5.5.1 Gladman object to Main Modification MM10 in that Ellistown is still listed as a Sustainable Village rather than as part of the Coalville Urban Area.
- 5.5.2 Through our representations and submissions to the Local Plan Examination, Gladman argued that the effect of the current resolutions to grant and allocate sites in the vicinity of Ellistown will be to result in the coalescence of Ellistown with Coalville. This is patently clear from Inset Map 10, with sites north and south of Grange Road H1t, and H1q (which benefit from permission for 905 dwellings) and H2c (with benefits from outline permission for 2,700 dwellings) linking the two settlements at the South Leicester Industrial Estate in Ellistown. It is also clear on the Proposals Map that the red line depicting the Coalville Urban Area extends to include Ellistown.
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5.5.3 On the basis of the significant development proposed in this area in the last 5 years (to be realised in part through the Local Plan) a common sense approach would be that Ellistown can no longer be considered a standalone village and instead it will form part of the Coalville Urban Area.

5.5.4 Gladman therefore consider that Main Modification MM10 should list Ellistown as part of the Coalville Urban Area and we commend the Inspector to consider our previous representations and submissions made on this issue when considering the soundness of the NWLLP along with the Main Modifications.

5.6 Main Modification MM13

5.6.1 Main Modification MM13 is currently unclear as to what Table 2 actually shows. Presumably, the total housing provision of 12,553 dwellings contained in Table 2 is simply a total of all completions from 1 April 2011, dwellings under construction, planning permissions at 1 October 2016 and resolutions to grant planning permissions, again as at 1 October 2016 rather than setting out what will actually be delivered within the NWLLP Plan period.

5.6.2 If this is the case, then this should be clearly explained in the supporting text to avoid causing confusion with other amended statements which are set out later in the Main Modifications (explained in more detail below).

5.7 Main Modification MM18

5.7.1 Gladman object to Main Modification MM18 as it is currently unclear and does not seem to be in alignment with other proposed modifications contained in the Modifications document.

5.7.2 Main Modification MM18 states that it is estimated that about 9,000 dwellings (including those already built) will be built in the Plan period and that there is a need for the NWLLP to make provision for at least a further 600 dwellings to meet the overall housing requirement of 9,620 dwellings.

5.7.3 As set out above in Section 5.6, it is currently unclear how this figure relates to the 12,553 dwellings contained in Table 2. It also appears to be at odds with Main Modification MM29 which states that the trajectory identifies that 7,902 dwellings will be developed by 2031 which when added to the completions (April 2011 to October 2016), would mean that 10,592 dwellings would be built across the Plan period.

5.7.4 This is particularly confusing and needs to be clarified to ensure that the NWLLP has identified sufficient sites to not only meet its housing requirement of 9,620 dwellings (although Gladman still consider this figure to be considerably higher) but also to provide the flexibility which is required to cater for identified sites not coming forward as predicted and to make an immediate contribution to any additional provision required to help meet the HMA's unmet needs.

5.7.5 A number of recent Inspectors have considered this flexibility issue suggesting that between 10% and 20% flexibility needs to be built into a Local Plan to ensure that the housing requirement is achieved or surpassed. Indeed, North West Leicestershire themselves have suggested within the Modifications that flexibility is required. The Inspector should therefore satisfy himself that given the discrepancies that appear to be contained within the Modifications, that the NWLLP does provide a suitable level of flexibility and if not, that Modifications are made to rectify this situation.

5.8 Main Modification MM21

5.8.1 Gladman object to Main Modification MM21 in that it fails to make adequate provision for housing within the NWLLP to meet the full OAN as set out in the Barton Willmore assessment detailed above in Section 5.1.

5.9 Main Modification MM28

5.9.1 Gladman object to Main Modification MM28 in that the 5 year supply of housing sites has been assessed against a housing requirement which fails to make adequate provision for housing to meet the full OAN as set out in the Barton Willmore assessment detailed above in Section 5.1.

5.10 Main Modification MM29

5.10.1 Gladman object to Main Modification MM29 as it seems to set out a different position to that expressed in Main Modification MM18. This is explained in full in Section 5.7 above.

5.11 Main Modification MM45

5.11.1 Gladman object to Main Modification MM45 as it does not reflect the guidance set out in the National Planning Policy Framework (NPPF) in relation to Heritage Assets.

5.11.2 Whilst Gladman support the deletions made under Main Modification MM45 as they did not conform to the guidance set out in the Framework, the proposed addition under criteria (2) similarly does not conform to the Framework.

5.11.3 The Framework states in paragraphs 133 and 134 that if the harm to a heritage asset is deemed to be substantial then the proposal needs to achieve substantial public benefits to outweigh that harm. If the harm is less than substantial, then the harm should be weighed against the public benefits of the proposal including securing its optimum viable use.

5.11.4 The proposed wording contained in Main Modification MM45 states that development which would cause harm to a heritage asset would not be supported unless there are overriding public benefits of the scheme. This is clearly contrary to the Framework as set out above and should be amended to reflect the Framework's guidance closely.
