



THE HOME BUILDERS FEDERATION

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Matter: 2

NORTH LINCOLNSHIRE HOUSING AND EMPLOYMENT LAND ALLOCATIONS DPD

MATTER 2 – CONFORMITY WITH THE ADOPTED CORE STRATEGY (JUNE 2011) AND WITH NATIONAL PLANNING POLICY

Conformity with the Adopted Core Strategy

- *Proposed Housing Allocations – including Housing Supply and Delivery issues in light of the Government’s requirement for a Five Year Land Supply; spatial approach; site selection; contingency sites; rural housing supply; Housing Delivery Framework at Appendix 2 of the Submission DPD (The discussion will focus on the proposed Housing Allocations in the context of the requirement for a Five Year Land Supply, the current position regarding the Five Year Land Supply and Housing Delivery in North Lincolnshire (including completions since the adoption of the Core Strategy DPD and in earlier years, and projected completions), the mechanisms for the release of contingency sites and the current position regarding the Lincolnshire Lakes proposal and related Area Action Plan.)*

Five year land supply

1. The Council’s most recent evidence upon a five year supply is contained within their 2014 paper *Assessment of Five Year Housing Land Supply*. This paper concludes (page 9) that a five year housing land supply is currently available. This conclusion is, however, based upon assumptions that the Council need only apply a 5% buffer and that the residual backlog accrued be spread over the remainder of the plan period. These latter assumptions are also re-iterated within paragraphs 3.6 to 3.8 of the plan. The HBF fundamentally disagrees with both of these assumptions for the reasons set out below.
- **Buffer**
2. In accordance with NPPF paragraph 47 Council’s must apply a 5% or 20% buffer to their five year housing requirements. The need for a 20% buffer arises where persistent under-delivery has occurred. To identify whether

persistent under-delivery has occurred the Council refer to the July 2013 paper produced on behalf of PAS *Ten key principles for owning your housing number- finding your objectively assessed needs*. The Council correctly points out that this document (section 9) recommends;

‘Calculations should be based on an analysis of completions against previous requirement using data representative of the whole economic cycle, which may be from the last 10 years.’

3. In this regard the Council assess the previous 10 years and identify that they have delivered 5,079 dwellings against a requirement of 6,700 dwellings. This represents approximately 76% of the overall completions. Perversely the Council indicates that this 24% under-delivery does not constitute persistent under-delivery and therefore applies the 5% buffer. The HBF contend that none delivery of nearly a quarter, or two and a half years supply, must be considered persistent under-delivery. Furthermore table 2 of the Council’s *Assessment of Five Year Housing Land Supply* paper identifies the Council has only achieved its housing requirement on 3 occasions over the last 10 years and has not once since 2007/8. It is therefore clear to the HBF that North Lincolnshire requires a 20% buffer in accordance with NPPF paragraph 47.

- **Backlog**

4. In terms of backlog the Council acknowledges it has under-delivered by 1,621 dwellings (plan requirement 6,700 minus delivery 5,079). In calculating its five year housing land requirement this shortfall is spread over the remaining plan period. This approach is contrary to the advice contained within the NPPG which states;

‘Local planning authorities should aim to deal with any undersupply within the first 5 years of the plan period where possible. Where this cannot be met in the first 5 years, local planning authorities will need to work with neighbouring authorities under the ‘Duty to Cooperate’ (ID 3-035-20140306)

5. The advice clearly does not seek to spread the undersupply over the plan period. In addition, as discussed in our matter 1 statement, the Council has not sought assistance from neighbouring authorities to meet its unmet needs and therefore the shortfall should be met within the first five years. The HBF therefore contends that this under-supply should be met within the first five years.

- **Supply**

6. The Council identifies that it has a deliverable supply of 4,683 dwellings (table 1, *Assessment of Five Year Housing Land Supply*). Whilst the HBF has not considered the Council’s supply in detail there are a number of areas which cause concern. These comprise the inclusion of sites without planning permission (28 units) and the windfall allowance (100 units). The Council has not sought to adequately justify the inclusion of either of these elements.

7. In addition it is not clear whether the Council has applied any discount to sites with planning permission to account for under or none delivery from such sites. This issue has been debated at numerous local plan examinations, such as the recent County Durham Plan and within numerous planning appeals (Land between Station Road and Dudley Road, Honeybourne Appeal Ref: APP/H1840/A/12/2171339, Land at Todenham Road, Moreton in Marsh Appeal Ref: APP/F1610/A/10/2130320, Land at Moat House Farm, Elmdon Road, Marston Green Appeal Ref: APP/Q4625/A/11/2157515). In all cases a 10% lapse rate from existing permissions was included as a fair and reasonable assumption to take account of under-delivery from such sites.

• **HBF position**

8. The HBF considers that the housing requirement for the area based upon an objectively assessed need is in excess of 1,050dpa. This would therefore provide a greater five year housing requirement than is currently being pursued by the Council.

9. However, even utilising the Council’s own housing requirement figures and not applying a 10% discount to existing commitments the HBF considers that the Council currently cannot attain a five year housing land supply as required by NPPF paragraph 47.

A	5 year supply (750x5)	3,750
B	Shortfall against plan requirement	1,621
C	20% buffer (20% of A+B)	1,074
D	Total 5 year requirement (A+B+C)	6,445
E	Deliverable supply	4,683
F	Available years supply ((E/(D/5))	3.63 years

10. The above table is likely to over-estimate the potential supply due to issues raised under the supply section above. It is also worth noting that a recent appeal decision made 15th October 14 at Seven Lakes Industrial Estate, Crowle Wharf, Ealand (Appeal ref: APP/Y2003/A/14/222137) identified that the Council could not demonstrate a five year housing supply (paragraph 7). Indeed the appellant provided detailed evidence which indicated a supply of just 1.5 years.

Phasing

11. Within our representations upon the plan the HBF objected to the phasing of sites. Policy H1 indicates that allocations will be brought forward in three distinct phases. The HBF does not consider such a policy stance to be sound. The Council has already identified that the proposed allocations are sustainable and therefore their development should not be artificially constrained. Such an approach is clearly contradictory to the NPPF which indicates that development that is sustainable should ‘*go ahead without delay*’ (ministerial foreword, paragraphs 14 and 15).

12. To ensure the Council can begin to deliver against its housing targets it is important that it has a wide portfolio of sites which can be delivered by the market in current conditions. This is particularly important given that the Council is unlikely to be able to demonstrate a five year supply upon adoption (see above comments). The Council may wish to identify likely timescales for delivery through a trajectory but should not seek to stall sustainable sites from coming forward this will simply thwart development and will create difficulties for the Council in achieving its 5 year supply of housing.
13. The HBF points towards the examinations of the South Worcestershire Local Plan and Rotherham Core Strategy where phasing was recommended for removal in both instances. The HBF therefore recommends the deletion of phasing.
14. The policy also seeks to prioritise the release of previously developed land. This is considered contrary to the NPPF. Whilst NPPF paragraph 111 identifies that local authorities may consider a case for a target for previously developed land it does not seek to prioritise its use. The wording of paragraph 111 is carefully constructed to specifically encourage such use. The Council's continued reference to prioritisation relates back to previous national policies and further highlights the inconsistency of the Core Strategy and subsequently this DPD with national policy.

Overall allocations

15. Whilst the HBF does not wish to comment upon the acceptability or otherwise of individual sites it is noted that the plan is heavily reliant upon the strategic allocations at Lincolnshire Lakes. The proposals at Lincolnshire Lakes account for approximately 65% of the proposed housing requirements. These proposals are subject to a separate DPD which is unlikely to be adopted until August 2015 at the earliest (2014 *Local Development Scheme*). It is, however noted that the production timetable has already slipped and therefore adoption prior to 2016 appears unlikely. It is noted that the Council has resolved to grant outline planning permission at Lincolnshire Lakes, however there is likely to be a significant time lag prior to delivery on site. This is due to the need to seek reserved matters approval and begin development on site. The Council's estimate that 1,800 units can be delivered by 31st March 2019 is therefore questionable.
16. Given the heavy reliance upon the Lincolnshire Lakes proposals it is paramount that there is flexibility embedded within the plan. In this regard it is noted that the Council has identified contingency sites to account for any under-delivery from Lincolnshire Lakes. The contingency sites provide an additional 1,030 dwelling potential. The HBF is generally supportive of such an approach but the mechanisms for their release are ineffectual (see our comments upon the submission version of the plan). Given the current five year land supply position and the poor track record of delivery over recent years the HBF recommends that these sites are considered for inclusion within the plan to be delivered immediately and not left as contingency

sites. It is also important that the contingency sites identified are deliverable and capable of contributing towards the five year supply. Whilst the HBF do not raise any in principle objections to any of the sites, the deliverability of those currently occupied by other users must be questioned. The Council has not provided sufficient evidence that developers are committed to bringing these sites forward.

17. Finally those contingency sites which are deliverable, if released, would go some way to meeting the objectively assessed housing needs of the area (see our matter 1 statement).

- ***Residential Monitoring – focusing on paragraphs 3.338-3.341 of the Submission DPD, and the evidence base documents underpinning that data, and the Monitoring Framework at Appendix 1 of the Submission DPD (The discussion will focus on the Monitoring Framework and related Indicators and Targets, with reference to the proposed mechanisms for bringing forward the contingency sites).***

18. The HBF consider that the proposed mechanisms for bringing forward the contingency sites are ineffective, and indeed would in the opinion of the HBF already apply. This issue is dealt with in greater detail within our comments upon the submission version of the plan, in aid of brevity they are not repeated here.

19. It is noted that the monitoring framework alludes to changes to the affordable housing targets (paragraph 3.338). Whilst in principle such a review is not objectionable this is on the proviso that if the Council intends to vary its requirements this must be undertaken as part of a full or partial review of the plan. This will ensure that any amendments are independently and rigorously tested. The NPPF, paragraph 174 clearly sets out that local standards, including affordable housing standards should be set out within the local plan.

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