



Gladman Developments Ltd

Central Lincolnshire Local Plan EiP

Matter 6 – Housing Land Supply

Issue 6a – The Five-Year Housing Land Requirement

Q1. Taking into account the reliance upon SUEs, is a flat trajectory realistic and appropriate? If not, what should it be? Should it be re-profiled so that the annual targets are lower earlier on in the plan period and higher later on?

1. GDL consider that if this trajectory is re-profiled so annual housing targets are lower in the earlier plan period and higher later on as suggested in Q1 any such re-profiling should be fully justified. It is clear that the Council contend that they can deliver the required number of units in the first 5 years of the **plan period based on a 'flat trajectory' as demonstrated in the Local Plan Housing Trajectory** on page 110 of the plan and as is set out in the Central Lincolnshire Five Year Land Supply Report 1 April 2017 to 31 March 2022 Report, as such there is no real justification for re-profiling the annual targets. Whilst it is acknowledged that there is somewhat of a reliance on housing delivery from Sustainable Urban Extensions (SUEs), 40% of housing is proposed on non-SUE sites which can contribute to housing delivery on timeframes quicker than the proposed SUEs.
2. Throughout the process GDL, and a number of others, have highlighted the peril of relying so substantially on SUEs to meet the identified housing requirement. To ensure Central Lincolnshire delivers a wide choice of high quality homes as required by the Framework, the Plan should allocate a range of sites in a greater variety of locations. This would guard against the failure of the SUEs delivering at the expected rate or in the numbers stated. This would also give the Plan flexibility and will ensure that it can maintain a rolling five year supply of housing throughout the plan period. Ensuring the right mix of housing sites is important so that house builders of all types and sizes have access to suitable land in order to offer the widest possible range of products to householders.

Q2. Taking into account the number of allocations in the Local Plan, and the strategic nature of the SUEs and their anticipated commencement, is this method the most appropriate? Alternatively, should the undersupply be spread over a longer period of time? (I.e. the 'Liverpool' approach)

3. GDL consider that the Sedgefield approach is appropriate in this instance. The Sedgefield approach is the most common approach advocated by the Planning Inspectorate, as it is more closely aligned with the NPPF's **approach to significantly boost the supply of housing (paragraph 47), by attempting**

to deal with any historic shortfall within the first five years. This approach is also directly endorsed within paragraph 3-035-20140306 of the PPG, 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’.

4. The Liverpool (or residual) approach, where shortfall is made up over the full length of the plan period has also been supported in some instances; but only where there is evidence that past delivery has been restricted by housing moratoria or other constraints, and this is also referred to in paragraph 3-035-20140306 of the PPG. GDL would highlight that this approach does not appear to be consistent with the NPPF. Whilst neither method is mentioned it is clear that the emphasis is on meeting the housing need in full on an annual basis and as a minimum. It seems at odds with that approach to spread past housing delivery failure over a longer period into the future when it should already have been delivered. It is noteworthy that neither of the previous Oct 15 or May 16 HLS assessments **produced by the Council’s (in full knowledge of the emerging housing requirement) have suggested any alternative method of calculation than the use of the Sedgefield method.**
5. GDL would be strongly opposed to a re-profiling of the flat trajectory as suggested in Q1 combined with a Liverpool approach to shortfalls since the start of the plan period as suggested in **Q2. This would represent a “double constraint” to meeting the housing needs. It must be borne in mind that any further delay to meeting the unmet housing needs is failing those households who needed both market and affordable homes since the start of the plan period. It is important to remember that this is not just a theoretical mathematical exercise there are households who need homes now so it is unreasonable to expect them to wait until later in the plan period before their housing needs are addressed.**

Q4. Is this approach justified and is it the most appropriate methodology to adopt in this scenario? Shouldn’t the buffer be applied to the annual requirement after undersupply since the start of the Plan period has been added?

6. **GDL agree that there has been persistent under delivery by the Central Lincolnshire Council’s and as such a 20% buffer should apply, but moreover there is an urgent need for a significant step change in housing delivery to address housing needs. The approach advocated by the Council is inappropriate, the buffer should be applied to the annual requirement after the undersupply since the start of the Plan period has been added. It is our understanding that the usual approach, as suggested by the question posed, is that the buffer should be applied to the annual requirement after the undersupply since the start of the Plan period has been added.**
7. Indeed, this issue has been considered in a number of recent Local Plan Examinations. For example, Inspector Emerson who examined the West Oxfordshire Local Plan¹ drew the following conclusion on this specific issue in December 2015:

¹ West Oxfordshire Local Plan Examination Document IN016

“In passing, I would comment that the Council’s calculation (HOU5, Table 1) appears to apply the 5% buffer only to the normal annualised requirement and not to the shortfall. It should apply to both since the buffer is intended to boost supply to give greater confidence that the overall housing requirement will be delivered” (Paragraph 2.15 refers).

8. This was also the approach taken by the Inspector Foster on 10 August 2015 in the context of the Amber Valley Local Plan Part 1 Core Strategy Examination. This letter acknowledges that the Secretary of State may have taken a different approach on the application of the buffer in relation to an appeal at Gresty Lane in Crewe², but that decision was “...*outside the SoS’s ‘normal’ approach. The model set out at 2199085 [Pulley Lane, Droitwich³] is therefore the one which should be followed*”. The Councils have provided no real justification for adopting the approach advocated.

Q5. What would the five-year housing land requirement be, for both the ‘Sedgefield’ and ‘Liverpool’ methodologies, if the 20% buffer was applied to the average annual requirement and accounted for any undersupply? What would be the five year supply if a 5% buffer was applied?

9. It is for the Council to undertake this assessment, however, the following observations are made. GDL have calculated that if the methodology for calculating land supply is as set out in Q5, the requirement in the first five years would be approximately 12,150 dwellings i.e. 2,430 dpa. The Council would clearly be unable to demonstrate a 5 year land supply and as such, the Local Plan cannot be sound as it would be neither effective nor consistent with national policy, moreover under para 49 of the NPPF the Plan would be instantly out of date on adoption. The Council have failed to allocate the right amount/type of site to meet the housing requirement and maintain a continual 5 year supply throughout the plan period.
10. GDL would also highlight that the Central Lincolnshire Five Year Land Supply Report 1 April 2017 to 31 March 2022 is utilising the wrong base date which may affect the ability of the Inspector to reach a proper conclusion on whether the Councils are able to demonstrate a supply at the point of adoption. The document has a September 2016 base date, yet calculates a five year HLS for the period 1st April 2017 to 31st March 2022. As Inspectors have recently made clear, this is inappropriate. The consequence is also falsely flattering; this excludes what should be Year 1 of the assessment (2016/17), a period within which delivery is most certain and is again going to be below the rolling 5 year requirement, and replaces it with effectively year 6 (2021/2022) a year where predictions must be more uncertain, yet the Council claim delivery will be substantially more than the requirement, as they do for years 2018/2019 onwards. The Council should reconsider their 5 year land supply position from the base date of 1st April 2016 for the period 2016/2017 to 2020/2021 to provide a more accurate reflection of whether the Council can demonstrate a supply for the first 5 years.

Issue 6b – Housing Land Supply – General Questions

Q6. For development management purposes will the five-year housing land supply position be based on a Central Lincolnshire figure, or per local authority area? To be effective does this need to be clearly set out in

²APP/R0660/A/13/2209335, Gresty Lane, Crewe, Cheshire East 19 January 2015

³APP/H1840/A/13/2199085 & APP/H1840/A/13/2199426, Pulley Lane, Droitwich, Wychavon, 2 July 2014

the Local Plan, along with direction on what should happen if one particular area has an undersupply, but others do not?

11. **The Council's latest 5 year housing land supply assessment (doc ref. E007D)**, and indeed all evidence submitted in support of the plan, addresses supply across Central Lincolnshire and does not provide a breakdown of the requirement for each Local Authority Area. The NPPG specifies that ***"where there is a joint plan, housing requirements and the need to identify a 5 years supply of sites can apply across the joint plan area. The approach being taken should be set out clearly in the plan"*** (ID: 2a-o10-20140306). The Councils will need to remedy this deficiency and it is critical that the Plan sets out explicitly the method of calculation and the remedy if the plan is failing to deliver.

Q8. to Q12.

12. GDL consider that this is not clearly set out, there is a lack of justification for the lead in times and delivery rates, particularly on the large SUEs. The delivery rates appear incredibly generic and are not based on up to date evidence. GDL have prepared below what is considered to be a more realistic assessment of the length of time between application submission and completions for large applications:

- Preparation of an outline application - 3-6 months
- Resolution to grant planning permission - 6-9 months
- S.106 process - 6-9 months
- Site sale, equalisation agreements etc. - 3-6 months (where required)
- Preparation of reserved matters and consultation - 3-6 months
- Discharge of pre pre-commencement (design brief, masterplan etc.) - 3-9 month
- Determination of reserved matters - 3-6 months
- Discharge of pre-commencement conditions - 3-6 months
- Site set up and initial infrastructure - 3-9 month
- Lead in first house completion - 3 months
- Total = 3-6 years

13. Delivery timescales are likely to increase above that identified above in relation to large SUEs. As such, it is considered that many of the larger sites would appear to have unrealistic delivery rates. It appears that some of the sites identified in Appendix 1 to the updated Five Year Housing Land Supply Report are listed as not currently having planning permission but have units been delivered in Years 2016/17 and 2017/18, this is unrealistic and cannot be relied upon. The Council have no robust evidence for the claims made in the trajectory and therefore these claimed delivery rates cannot be relied upon for sites without planning permission, particularly those large sites where no planning application has been submitted.

14. Gainsborough Northern Neighbourhood is an emerging allocation in West Lindsey District for a total of 750 homes. The site is scheduled to deliver 30 units in 2017/2018 and then 40 units for the remaining 3 years of the monitoring period, a total of 150 dwellings from 1st April 2016 to the 31st March 2021. No planning application appears to have been submitted for the site. As such, the Appellant can see no evidence to demonstrate that the site will deliver any units in the 5 year period, and the Council have failed to take account of the time it takes from an application been submitted

to completions on site. The same observation would apply to the vast array of sites included in the Councils 5 year land supply paper which have no planning permission nor indeed any application even submitted. It is considered, of the sites identified by the Inspector in Q13 to Q37, the vast majority are overly ambitious in terms of delivery and lead in times or clearly lack any certainty or robust evidence to demonstrate the levels suggested by the Council.

15. As per question 11, it is also noted that the Councils latest evidence does not appear to distinguish between outline and full planning consents or the number of conditions on an approval notice in particular any pre-commencement conditions. There also appears to be no consideration of significant infrastructure requirements on many of the larger sites. These distinctions are essential in determining when a planning consent becomes implementable which is of great importance in determining an appropriate lead in time and delivery rates.

Issue 6d – Five Year Housing Land Supply Conclusion

Q38. Having regard to the answers provided to the questions above, is the trajectory on page 109 of the Local Plan justified and will there likely to be a five-year supply of deliverable housing sites on adoption of the plan?

16. **GDL consider that the trajectory is not justified and the Council's will be unable to demonstrate a 5 year land supply at adoption of the plan, the plan is unsound on that basis.** The number of homes short will be even more pronounced if the Sedgefield approach is preferred, which as set out in our response to Q2 is the correct methodology in this case, and if the buffer is applied to the annual requirement after the undersupply since the start of the Plan period has been correctly added, as set in out in the response to Q4.
17. The trajectory on page 109-110 of the Local Plan is unjustified. The trajectory demonstrates the unrealistic assumptions about the delivery of allocations that have not yet got planning permission and the majority do not even have a planning application submitted. The reliance on allocations in **the year 2018/2019 and 2019/2020 i.e. 2 years' time from the adoption of the local plan to ensure the Councils can demonstrate a supply** is manifestly unrealistic. To anticipate this level of completions from allocations without demonstrable evidence that they will deliver, in the absence of planning applications been submitted yet alone approved is not robust and highlights the likelihood that there will not be a five-year supply of deliverable housing sites on adoption of the plan.

Q39. Is there likely to be a sufficient supply of housing land throughout the lifetime of the plan?

18. GDL do not consider that there will be and it will for the Council to demonstrate that there will be. The number of homes identified to be provided across the plan period is 36,960, as set out on page 109 of the plan, the plan is seeking to allocate 29,832 sites, with the total number of homes, and if all are delivered 38,610 homes will be built. GDL do not consider that a number of sites will deliver the number of units suggested (and there is no clear evidence base that they will) and there is not enough flexibility should a large site not deliver as anticipated. If it is identified that there will not be sufficient supply of housing land throughout the lifetime of the plan, then it is recommended that as large a

contingency as possible is identified. It must be noted that the housing requirement is a minimum and not a maximum figure.

Q40. What flexibility does the plan provide in the event that the SUEs and other large housing sites do not come forward in the timescales envisaged? Is it necessary to have a review mechanism in the Plan to consider progress against the delivery of these sites and to identify any appropriate steps to help increase supply, if appropriate?

19. The plan does not provide the necessary flexibility in the event that the SUEs and other large housing sites do not come forward in the timescale envisaged, as such GDL recommends a 20% contingency be added into the plan. The recently published Local Plans Expert Group (LPEG) Report recommends that *“the NPPF makes clear that 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”* (para 11.4 of the LPEG Report). It is essential that the Central Lincolnshire Plan contains such a contingency bearing in mind the poor housing delivery since the start of the plan period.