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Ms Carmel Edwards
Local Plan Programme Officer
c/o Gedling Borough Council
Civic Centre
Arnot Hill Park
Arnold
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7th June 2017
Our ref.1046.L03

Dear Ms Edwards,

Revised Housing Background Paper [EX/104A] and Revised Policy LPD 63 Housing Distribution [EX/105A] – Comments on behalf of M F Strawson Ltd

Further to the Inspector's invitation in note EX/121 to make comments on the above documents, I am pleased to submit comments on behalf of M F Strawson Ltd, promoter of land west of the A60, Redhill, for 150 dwellings. These comments follow on from representations made to the Publication stage of the Local Planning Document, reference lpd_pub_b/218 and lpd_pub_b/221, our Position Statements submitted in relation to the Matters and Issues Questions, our comments dated 18th April 2017 and our participation in the examination.

1. Revised Housing Background Paper Addendum [EX/104]

Q1. Is the 5 year period (1 April 2017 to 31 March 2022) covered by the assessment in the Revised Addendum appropriate?

Yes, the trajectory should be based from the current monitoring year and include up-to-date information on completions.

Q2. Is the revised windfall allowance of 320 dwellings (40dpa from 2020/21) appropriate?

Paragraph 7 of the Council's statement (EX/117) says that the stricter approach taken to sites below the threshold (in that it is now assumed that sites will not come forward unless they have robust evidence to demonstrate that they will come forward, as opposed to vice versa) means that they are likely to be underestimating future supply from sites under the threshold. This is just conjecture and doesn't represent a compelling case that sites below the threshold will come forward in the future as windfall. The Council had addressed failings in their trajectory by applying the 'stricter approach' and should not undermine that by adding housing numbers back in to the supply in other ways.

Table 1 of EX/117 provides information regarding the position taken on windfall by other HMA authorities. On the face of it this appears to provide some evidence of the local authorities including windfall in the 5 year supply, but on closer examination none of the authorities' windfall allowances as stated in Table 1 are actually based on the position in an adopted Development Plan. The following summary clarifies this:

- **Broxtowe** – Aligned Core Strategy (ACS) has windfall in last 5 years and no further Development Plan has been adopted.
- **Ashfield** – Local Plan has not yet been subject to examination.
- **Erewash** – adopted Core Strategy trajectory did not include any windfall and no further Development Plan has been adopted.
- **Nottingham City** - ACS has windfall in last 10 years and no further Development Plan has been adopted.
- **Rushcliffe** –adopted Core Strategy trajectory did not include any windfall and no further DPD has been adopted.

Therefore the approach to windfall taken by other HMA authorities has not been subject to examination and does not reflect the position in their adopted Development Plans. Therefore this does not provide any support for Gedling's position.

Q3. Does the revised windfall allowance accord with the Aligned Core Strategy?

No it doesn't. Although the ACS housing trajectory is not a policy, it is considered that the Local Planning Document housing trajectory should be consistent with the ACS housing trajectory. The housing requirement is not being revisited as part of the Local Planning Document and so the windfall allowance should not be revisited.

Q4. What evidence is there to support the new approach to the windfall allowance now put forward by the Council?

a. Is the revised windfall allowance based on compelling evidence that such sites have consistently become available in the local area?

Table 5 to EX/117 provides 6 years of data to demonstrate that small sites, excluding garden land and not included in the SHLAA have provided an average of 39 dwellings per annum over this period. However the annual rates vary from 26 to 53 dwellings per annum. Over such a short period, such variances create considerable doubt as to whether such sites have consistently become available in the local area. Therefore this does not represent compelling evidence.

b. Is the revised windfall allowance based on compelling evidence that such sites will continue to provide a reliable source of supply?

In view of the doubt expressed in our response to Q4a, it cannot be reliably extrapolated that such sites will continue to provide a reliable source of windfall supply. Furthermore it is not reasonable to assume that all SHLAA sites will be built out in the first 3 years, thus justifying windfall delivery from Year 4 onwards. The housing trajectory includes many SHLAA sites where delivery is expected beyond the first 3 years.

c. Has the evidence with regards to windfalls changed significantly since the Local Planning Document Publication Draft? If so, how?

There is no significant new evidence. The 'stricter approach' referred to by the Council in paragraph 36 of EX/117 is a robust approach and the Council should not then go on to reintroduce these figures in to the housing trajectory by another means. Any additional information submitted to the examination appears contrived to justify the inclusion of windfall from Year 4 onwards in order to bolster the 5 year housing land supply.

Q5. How can it be ensured that there will not be an element of double counting if a windfall allowance is included from Year 4 onwards?

This cannot reliably be ensured.

Q6. What evidence is there to support the Council's assumption that not all windfall sites will come forward in the urban area?

No comment.

Q7. Is it robustly demonstrated that the estimated housing land supply for the five year period is deliverable?

The Council has undermined their 'stricter approach' (EX/117 paragraph 7) by introducing windfall from year 4.

Paragraph 3.31 of EX/104A states that Local Planning Document will deliver a 5.09 year supply of housing. This is clearly very marginal and, should more than 68 dwellings in the 5 year trajectory fail to be delivered then the Local Planning Document will not deliver a 5 year supply of housing. This is far too vulnerable a position to conclude that the Local Planning Document is positively prepared.

Since Gedling is a Green Belt authority it would be very difficult for the Council to respond rapidly in addressing any deficit in the 5 year supply. Therefore it is considered important that the Local Planning Document robustly delivers a 5 year supply of housing upon adoption.

Q8. Should a lapse rate be included in the calculations? If so, what would be an appropriate percentage?

The Council refuses to include a lapse rate because they have tested deliverability on a site-by-site basis. However this testing has been undertaken at one point in time. On an ongoing basis circumstances can change and planning permissions can lapse.

Appendix E to EX/104A clearly indicates that Gedling Borough is not immune to planning permissions lapsing, with records of lapsed permissions throughout the trajectory. Unfortunately there is no evidence to demonstrate on a year-by-year basis how many planning permissions convert in to completions.

The Local Plans Expert Group report (EX/118) made a recommendation (no43) that a lapse rate should be introduced in to the 5 year supply calculation. The Council has failed to properly consider how their planning permissions have been converting in to completions and use this evidence to support a robust lapse rate.

In the absence of other evidence, taking in to account the advice in paragraph 8 of Appendix 13 to the Local Plans Expert Group report, a lapse rate of 10% should be applied.

Q9. Is the deletion of sites from the Schedule in Appendix E an indication that a lapse rate should be included?

It appears that 66 dwellings have been deleted from the Appendix E trajectory, resulting from lapsed permissions where there is no indication from the landowner/developer of intention to bring the site forward. This is evidence to support the inclusion of a lapse rate.

The Council has not provided a complete set of data on permissions lapsing each year so it is not possible to ascertain whether any further planning permissions have lapsed.

Q10. Have sufficient sites been allocated in the Plan to meet the target of 7,250 homes set out in the ACS [Appendix A]?

No, the Plan's housing provision does not include sufficient flexibility to ensure that the housing requirement is met with sufficient flexibility to respond to rapid change. The Council refers to an oversupply 'buffer' of 506 dwellings. However this buffer (and indeed some of the core provision) comes purely from sites without planning permission, either in the SHLAA or windfalls. Such sites account for 626 dwellings. This 'buffer' cannot be relied upon as it is not clear how these sites could be brought forward to respond to rapid change. This also assumes a 100% implementation rate for the 2,137 dwellings subject of planning permission, which makes the need for flexibility all the more important.

Q11. Are the deliverability assumptions for sites in the planning system appropriate [Appendix B]?

No comment.

Q12. Are the projected completions for deliverable sites included in the 5 year housing land supply period appropriate and achievable and based on sound evidence [Appendix C]?

The EX/104A Appendix C trajectory schedule of deliverable sites lists a large number of sites without planning permission, where delivery of housing is anticipated in the 5 year housing land supply period. To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. It is considered that sites without planning permission should not be considered deliverable in the initial 5 year period in their deliverability has not been tested through the planning process and it cannot be robustly determined that there is a realistic prospect of their delivery in this period. It is therefore considered that these sites should be placed in Years 6-10.

We would also raise the following specific concerns about the robustness of assumptions behind particular sites in the housing trajectory.

H1 Rolleston Drive – the Council has assumed that the site will deliver 35 dwellings per annum from 2018/19 onwards. However there has been no planning application as yet and the site is awaiting the adoption of informal planning guidance, which is likely to delay a planning application being submitted given the uncertainty that this creates. EX104A includes new information regarding the need for financial appraisal and a pending bid for HCA funding. This adds further to uncertainty regarding the site coming forward in the short-term. It is therefore highly doubtful that the site will deliver housing

in the next monitoring year. It is considered more realistic to assume that delivery will commence in 2020/21, following adoption of the planning guidance (which has not yet been published for consultation), confirmation of funding, grant of planning permission and disposal of the site to a developer.

6/477 Daybrook Laundry – this site has been brought forward in the 5 year supply on the basis that there has been a pre-application enquiry for 49 dwellings. Until planning permission is granted for residential development on this site it is considered there is insufficient evidence that 49 dwellings are deliverable in the initial 5 year period. It is therefore considered that this site should be placed in Years 6-10.

H16 Park Road, Calverton - although it would appear that a consultation response has been received in 2017 confirming that the site can be delivered earlier than anticipated, bringing a further 50 dwellings in to the 5 year supply, it still seems very unlikely that delivery will commence as suggested in the current monitoring year, with 20 dwellings delivered by the end of March 2018 and 60 dwellings annually thereafter. The site is yet to be released from the Green Belt and no planning application has yet been submitted. It is suggested that this site should be expected to deliver housing from 2018/19 onwards.

Q13. Does the detailed housing trajectory demonstrate realistically that the housing development, for which the Plan provides, will come forward within the Plan period [Appendix D]?

No comment.

Q14. Are the projected completions for deliverable and developable sites included in the Plan period 2011 to 2028 appropriate and achievable and based on sound evidence [Appendix E]?

No comment.

Q15. The Council's Revised Housing Background Paper says that the list of sites under the threshold in Appendix E has been updated with only those sites where information has been received as part of the SHLAA 2016 consultation or in 2017 now being included in the housing supply. However, there are some sites where Council assumptions have been made (Chase Farm, 6/200, 6/802, Plains Road, 6/818 and 6/229) and some where information has been received as part of the SHLAA 2016 consultation or in 2017 and Council assumptions have also been made (6/218 and 6/137) – why is this the case?

No comment.

Q16. On what basis were the 2017 responses made from landowners/ developers?

No comment.

2. Revised Policy LPD 63 Housing Distribution [EX/105]

Q1. Does the revised Policy LPD 63 robustly demonstrate that a minimum of 7,250 homes will be provided for during the plan period (2011 to 2028)?

Policy LPD 63 sets out that a total of 7,840 homes will be provided, when all the figures are added together. EX/117 paragraph 101 says that the supply totals 7,756 dwellings, which is 84 dwellings less. This discrepancy is not explained.

I would be grateful if you could pass these comments to the Inspector.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Caroline'.

Caroline Chave BA (Hons) DipTP MRTPI
Director
Chave Planning